CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, JULY 22, 2014

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 4469 - Amend Chapter 2.56, Section 110 (B), of the Code of the City of Elizabeth, specifically relating to the Table of Organization of the Police Department; Police Personnel, as provided on attached schedule.

ORD. NO. 4470 - Amend Chapter 2.60.090 (B), of the Code of the City of Elizabeth, specifically relating to the Table of Organization of the Fire Department; Fire Personnel, as provided on attached schedule.

ORD. NO. 4471 - Amend Ord. No. 1747 entitled "An Ordinance to Establish Certain Classified and Unclassified Positions in the City's Table of Organization and To Set The Annual Compensation For Said Positions To Be Paid From April 1, 1984, Except As Otherwise Provided, As Provided By The Municipal Budget To Be Paid As Other Employees Are Paid," as provided on attached schedule.

ORD. NO. 4472 - An ordinance to exceed the State Fiscal Year 2015 Municipal Budget Appropriation Limits and to establish a Cap Bank, pursuant to N.J.S.A. 40A:4-45.14.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated June 27, 2014, from His Honor the Mayor, subject to confirmation, hereby reappoints Candido Rodriguez, Jr., Esq. and Diene Hernandez-Rodriguez, Esq., 442 Westfield Avenue, Elizabeth, NJ; Chanima K. Odoms, Esq., 1812 Front Street, Scotch Plains, NJ; Deirdre M. Mason, Esq., The Mason Law Firm, LLC, 1812 Front Street, Scotch Plains, NJ; Celeste Dudley-Smith, Esq., 2810 Morris Avenue, Union, NJ; Nuno Afonso, Esq., Jubilo L. Afonso, Esq., Afonso & Afonso, LLC, 546-548 Elizabeth Avenue, Elizabeth, NJ, Lindal Scott Foster, Esq., Scott Foster, LLC, 1139 East Jersey Street, Elizabeth, NJ and Maria M. Dias, Esq., 701 Westfield Avenue, Elizabeth, NJ, to serve as Municipal Public Defenders for the Municipal Court for the period covering July 1, 2014 to June 30, 2015 at a rate of $300.00 per session, for a total amount not to exceed $140,000.00; Candido Rodriguez, Esq. shall be designated Chief Municipal Public Defender at the additional compensation of $5,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator recommending the award of a contract to Motorola Communications & Electronics, Inc., P.O. Box 161, Wharton, NJ, for the purchase of communications equipment and accessories for various departments for the period of May 31, 2014 through June 30, 2015, at a cost not to exceed $30,000.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator requesting authorization for the proper City officials to execute an agreement with the Elizabeth Parking Authority for the rental of 25 parking spaces in Lot No. 6 and 300 parking spaces in Lot No. 2 at a rate of $25.00 per parking space per month for a period of one year effective July 1, 2014 through June 30, 2015; total monthly cost will be $8,125.00 or $97,500.00 for one year.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator requesting authorization for the proper City officials to award the policy of insurance to NY Marine & General Insurance Company/Midlands Management Corporation, 3503 N.W. 63rd Street, Oklahoma City, OK, through the agent-of-record, Sirocco Group, to obtain Excess Insurance on Worker's Compensation Coverage & Excess General Liability Insurance for the period of July 1, 2014 to June 30, 2015 at an annual premium of $232,448.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Kean University, 1000 Morris Avenue, Union, NJ, for computer consulting services for a one year period, commencing July 1, 2014 to June 30, 2015, at a cost not to exceed $50,500.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator requesting authorization for the proper City officials to execute an Indemnification Agreement with the Elizabeth Board of Education covering the City's utilization of their facilities during the 2014-2015 fiscal year.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator requesting authorization for the proper City officials to award a contract to William H. Malone, Jr., 976 Byron Avenue, Elizabeth, NJ, to provide insurance management consulting services for the period of July 1, 2014 to June 30, 2015 for a flat fee of $25,000.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator recommending the award of a contract to Horizon HealthCare Dental Services, 1427 Wyckoff Road, Farmingdale, NJ, to provide a Dental Insurance Program for a two year term in a total amount not to exceed $925,000.00 per year, or a total amount not to exceed $1,850,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator recommending the award of a professional service contract to Dr. Michael R. Zaboski, 240 Williamson Street, Suite 204, Elizabeth, NJ, as the Elizabeth Police Department's Physician for the period of July 1, 2014 to June 30, 2015 at a total fee not to exceed $20,000.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator recommending the award of a contract to Route 23 Auto Mall, 1301 Route 23 South, Butler, NJ, for auto parts for Light Duty Vehicles including, but not limited to brakes, engine parts, and filters for various departments for the period of June 24, 2014 through June 25, 2015 at a cost not to exceed $30,000.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator recommending the award of a contract to Storr Tractor Co., 3191 US Highway 22, Branchburg, NJ, for the purchase of parts and repairs for Lawn and Grounds Equipment for various departments for the period of June 24, 2014 through June 28, 2015 at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator recommending the award of a contract to Malouf Ford-Lincoln Mercury, 2210 Route 1 North, P.O. Box 7480, North Brunswick, NJ, for auto parts for Light Duty Vehicles including, but not limited to brakes, engine parts and filters for various departments for the period of June 24, 2014 through June 25, 2015 at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated June 30, 2014, from the Business Administrator recommending the award of a contract to Qual-Lynx (formerly Scibal Associates, Inc.) 30 Knightsbridge Road, Piscataway, NJ, for the administration of the City's Third Party Administration of the Workers' Compensation & Auto Liability/Property Program for the period of August 1, 2014 through July 31, 2017 in the amount of $190,000.00 per year.
Which was received.

By the Clerk:
Letter dated June 30, 2014, from the Business Administrator recommending the award of a contract to FDCJ, LLC., t/a Flemington Dodge Chrysler, 204 Routes 202 & 31 North, Flemington, NJ, for auto Parts & Accessories for Light Duty Vehicles including, but not limited to brakes, rotors and water pumps for various departments for the period of June 24, 2014 through June 25, 2015 at a cost not to exceed $30,000.00.
Which was received.

By the Clerk:
Letter dated June 30, 2014, from the Business Administrator recommending the award of a contract to AAM Motor Sales/dba Jersey City Ford, 315 Clendenny Avenue, Jersey City, NJ, for auto parts and accessories for Light Duty Vehicles including, but not limited to brakes, spark plugs and filters for various departments for the period of June 24, 2014 through June 25, 2015 at a cost not to exceed $50,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated June 30, 2014, from the Business Administrator recommending the award of a contract to Old Dominion Brush Company, 5118 Glen Alden Drive, Richmond, VA, for the purchase of parts and repairs for Road Maintenance Equipment for the period of June 25, 2014 through June 25, 2016 at a cost not to exceed $150,000.00.
Which was received.

By the Clerk:
Letter dated June 30, 2014, from the Business Administrator recommending the award of a contract to Cherry Valley Tractor Sales, 35 Route 70 West, Marlton, NJ, for the purchase of parts and repairs for Lawn and Grounds Equipment for various departments for the period of June 24, 2014 through June 28, 2015 at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Discovery Benefits, 3216 13th Avenue S, Fargo, ND, to provide COBRA administrative services for the period of July 1, 2014 to July 1, 2017 at a fee of $4.50 for enrollment per beneficiary and $1,000.00 Minimum Annual Service Fee.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Business Administrator, on behalf of the Historic Midtown Elizabeth Special Improvement District, requesting approval from your Honorable Body to conduct a festival and car show on Saturday, August 16, 2014, from 11:00 am to 4:00 pm; rain date Sunday, August 17, 2014; subject to the listed conditions.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Business Administrator requesting that your Honorable Body adopt the Amended and Restated Redevelopment Agreement for the conveyance of land to the Developer for the construction of a supermarket and retail establishments in the Trumbull Street Redevelopment area in the City of Elizabeth between the City and East Grand Associates Urban Renewal Entity, LLC, A New Jersey Limited Liability Company and Urban Renewal Entity, C/O Jacobs Enterprises, Inc., 1051 Bloomfield Avenue, Clifton, NJ.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the City Attorney recommending the renewal of the contract with LaCorte, Bundy, Varady & Kinsella, 989 Bonnel Court, Union, NJ, to provide legal services to the City in defense of civil litigation in auto/general liability cases and matters included within the City's self insurance program for the fiscal year July 1, 2014 to June 30, 2015 in an amount not to exceed $450,000.00, except as specifically authorized by resolution of City Council.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the City Attorney recommending the renewal of the contract with LaCorte, Bundy, Varady & Kinsella, 989 Bonnel Court, Union, NJ, to provide legal services to the City in the defense of Workers' Compensation cases and

PETITIONS, COMMUNICATIONS, ETC.

matters included within the City's partial self- insurance program for the fiscal year July 1, 2014 to June 30, 2015 in an amount not to exceed $150,000.00 except as specifically authorized by resolution of City Council.
Which was received

By the Clerk:
Letter dated July 1, 2014, from the City Attorney recommending awarding of contracts to Edward J. Kologi, Esq. and Michael S. Simitz, Esq., Kologi/Simitz, 923 North Wood Avenue, Linden, NJ; Edwin R. Matthews, Esq. Bourne, Noll & Kenyon, Counsellors at Law, 382 Springfield Avenue, Suite 507, P.O. Box 690, Summit, NJ; Robert F. Renaud, Esq., Palumbo & Renaud, Attorneys at Law, 190 North Avenue East (Rte 28), Cranford, NJ; Peter H. Spaeth, Esq., Wolff, Helies, Duggan, Spaeth & Lucas, Counsellors at Law, Valley Park Professional Center, 2517 Highway 35, Building K, Suites 201 & 202, Manasquan, NJ; Guy P. Ryan, Esq., Secare, Ryan & Hensel, 16 Madison Avenue – Building 1,Toms River, NJ; Kraig M. Dowd, Esq., Weber Dowd Law, LLC, 365 Rifle Camp Road, Woodland Park, NJ; Alan C. Roth, Esq., Roth D'Aquanni, Counsellors at Law, 150 Morris Avenue, Suite 206, Springfield, NJ; Daniel Antonelli, Esq., David L. Minchello, Antonelli Minchello, P.C., 1000 Stuyvesant Avenue, Suite 1, Union, NJ; Janyce M. Wilson, Esq., 226 St. Paul Street, Westfield, NJ; Raymond S. Londa, Esq., Londa & Londa, 277 North Broad Street, Elizabeth, NJ; Floria & Kenny, LLP, 5 Martin View Plaza, Suite 103, P. O. Box 771, Hoboken, NJ, for legal representation in litigation at the same rates as the LaCorte, Bundy, Varady & Kinsella contract with an hourly rate of $175.00 and with a cap of $65,000.00 for the period of July 1, 2014 to June 30, 2015.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer advising that transfers for the 2014 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer advising that temporary emergency appropriations for the 2015 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a bond ordinance authorizing the installation of traffic lights and road resurfacing at the intersections of East Jersey Street at Winfield Scott Plaza and at the intersection of Jackson Avenue at Monroe Avenue/Anna Street in the amount of $1,000,000.00; with a down payment of $50,000.00.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting that your Honorable Body consider amending Bond Ordinance No. 3778, Mack Building Renovations, and to re-appropriate $1,100,000.00 of available funds no longer required in order to provide a bond ordinance to pay for costs of demolition of the Mack Building and park improvement to the property and other.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a capital ordinance that would authorize the purchase and installation of a new Phone System in the amount of $750,000.00.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting authorization for the proper City officials to enter into a contract for the 2015 SFY with Blau & Blau, 55 Morris Avenue, Springfield, NJ, to be the primary legal representative of the City in all matters relating to tax appeals, including preparation for trials, discovery and motions, and the appearance at trials and other court appearances pertaining to tax appeals at the Union County Tax Board and New Jersey Tax Court and other venues in an amount not to exceed $130,000.00.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting authorization for the proper City officials to enter into a contract for the 2015 SFY with DeCotiis, FitzPatrick, & Cole, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, NJ, to provide bond counsel services to the City in connection with the City's issuance of debt obligations and to provide for the terms and security of such obligations in accordance with the laws of the State of New Jersey in an amount not to exceed $60,000.00.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting authorization for the proper City officials to enter into a contract for the 2015 SFY with Stack, Coolahan & Stack, LLC, 90 Hudson Street, P.O. Box 731, Hoboken, NJ, to provide appraisal and consulting services to the City, including testimony and attendance at conferences scheduled by the court, in connection with State Tax Court appeals in an amount not to exceed $78,000.00.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting authorization for the proper City officials to enter into a contract for the 2015 SFY with Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Suite 206, Marlton, NJ, to provide financial advisory services to the city in connection with the city's issuance of municipal and sewer utility debt obligations, including bonds and bond anticipation notes and any other financial analysis deemed necessary, in an amount not to exceed $40,000.00.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting authorization for the proper City officials to enter into a contract for the 2015 SFY with Powell Capital Markets, Inc., 280 Corporate Center, 3 Becker Farm Road, Roseland, NJ to provide financial advisory services to the City in connection with the City's issuance of municipal and sewer utility debt obligations including bonds and bond anticipation notes and any other financial analysis deemed necessary in an amount not to exceed $40,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer requesting authorization for the proper City officials to enter into a contract for the 2015 SFY with Louis C. Mai, CPA & Associates, 6 Moonshadow Court, Kinnelon, NJ, to provide statutory audits of the General Funds, Sewer Utility Funds, Other Funds, the Single Audit and also for five year comparative statements in an amount not to exceed $216,000.00.
Which was received.

By the Clerk:
Letter dated July 1, 2014, from the Chief Financial Officer advising that in compliance with the SFY 2014 Appropriations Act requires your Honorable Body to approve all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:
Letter dated June 12, 2014, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Rental Housing Program, Deferred Payment Loan, for the property located at 272 Second Street, in the amount of $360,000.00.
Which was received.

By the Clerk:
Letter dated June 12, 2014, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Rental Housing Program, Deferred Payment Loan, for the property located at 429-431 Jackson Avenue in the amount of $120,000.00.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute all agreements and documents necessary and appropriate for a Community Housing Development Organization grant for Y HOMES, Inc., for Operating Expenses for the period of July 1, 2013 through June 30, 2014 in the amount of $20,000.00.
Which was received.

By the Clerk:
Letter dated June 30, 2014, from the Director of Planning and Community Development requesting authorization for the proper City officials to sign any and all documents necessary in connection with substantial amendments to the HOME Investment Partnership Program for FY 2011, 2012 and 2013 as follows: FY 2011, The City of Elizabeth Housing Authority was allocated $600,000.00 in Rental Housing Program funds for a multi building new construction project located in the Elizabethport and was unable to secure the necessary project financing; $300,000.00 will fund a change order in the existing Oaks @ Westminster rehabilitation project located at 350 Irvington Avenue and $300,000.00 will fund the rehabilitation of 5 units of a 6 unit building located at 272 Second Street being developed by Magill Real Estate Holdings, LLC.; Community Access Institute was allocated $198,791.00 for the rehabilitation of 4 rental units but was unable to acquire the 4 units, so the entire amount will fund a change order in the existing Y-HOMES, Inc. rehabilitation project located at 135 Madison Avenue; FY 2012 Magill Real Estate Holdings, LLC was allocated $66,000.00 in Rental Housing program funds to rehabilitate 2 units in a 3 unit building; developer was able to secure other governmental financing and asked that the award be lowered by $6,000.00 to $60,000.00 and the number of unites created be lowered from 2 to 1; Community

PETITIONS, COMMUNICATIONS, ETC.

Investment Strategies, Inc. was allocated $221,877.00 for the rehabilitation of 12 units of a 60 unit building on the former Oakwood Plaza site the entire $227,877.00 will be reallocated as follows: $60,000 will be used for the rehabilitation of the 6th unit of the 6 unit project located at 272 Second Street being developed by Magill Real Estate Holdings; $120,000.00 will be used to rehabilitate a 2 unit building a 429-431 Jackson Avenue being developed by NJ Community Development Group; and $47,877.00 will be used to rehabilitate 1 of 2 units at 1011 Emma Street being developed by NJ Community Development Group; Y-HOMES, Inc. was allocated $109,575.00 for the rehabilitation of 4 rental units at their 135 Madison Avenue project; funds were reallocated in 2011 for this project, they are no longer needed; $10,000.00 will be reallocated for Y-HOMES, Inc., for a pre-development loan to help undertake a feasibility study for their next project; remaining $99,575.00 remains uncommitted; FY2013 The City of Elizabeth Housing Authority was allocated $471,844.00 in Rental Housing Program funds for a new construction project located in E'Port to create 8 assisted units in a 36 unit building; The Housing Authority was unable to secure the project financing; funds shall be reallocated as follows: $399,721.00 will fund 7 units of a 60 unit building referred to as Parkers Walk located on Parker Road being developed by CIS, Inc; $72,123.00 will fund the rehabilitation of the remaining 1 unit of the 2 unit building located at 1011 Emma Street; $40,000.00 was allocated towards the First Time Homebuyer Program which was not utilized; $20,000.00 shall be reallocated to Y-HOMES, Inc., for Community Housing Development Organization Operating Expenses.
Which was received.

By the Clerk:
Letter dated June 18, 2014, from the Director of Public Works requesting permission 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 $10,915.13.
Which was received.

By the Clerk:
Letter dated June 25, 2014, from the Director of Public Works requesting permission to have liens placed against properties listed on Schedule A attached hereto in the amount of $1,837.33.
Which was received.

By the Clerk:
Letter dated June 25, 2014, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto in the amount of $3,079.94.
Which was received.

By the Clerk:
Letter dated June 27, 2014, from the Director of Public Works recommending the award of a contract to CMS Construction, Inc., 152 Sherman Avenue, Newark, NJ, for the Elizabeth River Flood Control Project, Levee Maintenance Contract, South Front Street to Trenton Avenue at a cost of $1,181,505.00.
Which was received.

By the Clerk:
Letter dated June 30, 2014, from the Director of Public Works requesting approval of Contract Amendment No. 2 to the contract with Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ, to provide civil engineering services in connection with the Hurricane Sandy Disaster Recovery Public Assistance Program at an original cost of $75,000.00, to provide further for professional engineering services on a time and material basis for actual time and expenses spent at an additional cost not to exceed $80,000.00, plus reimbursables, which combined with previous Contract Amendment, raises the contract to $275,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated June 27,2014, from the Director of Recreation requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Union County Open Space, Recreation & Historic Preservation-Kids Recreation Trust Fund Grant, anticipated funding will place synthetic turf at Kenah Field; continue to work with the Elizabeth Conservancy to complete the acquisition of land to construct an Environmental Education Center on Third Avenue and Doyle Street in an amount not to exceed $600,000.00.
Which was received.

By the Clerk:
Letter dated April 2, 2014, from Hehl & Hehl, 370 Chestnut Street, Union, NJ, on behalf of Fairmount Development Group, LLC and Elizabeth Redevelopment Group, LLC., requesting the vacation of Henry Street in the area between Julia Street and Fairmount Avenue.
Which was received.

By the Clerk:
Letter dated June 26, 2014, from the City Engineer, on behalf of PSE&G, requesting authorization for the proper City officials to enter into an Access Agreement with PSE&G to complete the surveys, wetlands delineations and test borings necessary for the design of repairs to their 30-inch gas pipeline facilities.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter dated June 18, 2014, from the Chief Financial Officer submitting the City Treasurer's Report of Receipts and Disbursements for the month of February, 2014, and Statement of Bank Balances and Investments as of February 28, 2014.
Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 4473 - An ordinance to vacate a portion of Henry Street, between Julia Street and Fairmount Avenue, more particularly described, situate in the City of Elizabeth, County of Union, State of New Jersey.

ORD. NO. 4474 - Amend Bond Ordinance No. 3778, adopted January 10, 2006, for renovations to the Mack Building for the E'port Health Center, in the amount of $3,800,000.00, specifically to re-appropriate funds in the amount of $1,100,000.00, for demolition of the Mack Building and park improvements to the property.

ORD. NO. 4475 - Authorize the adoption of a Bond Ordinance in the amount of $1,000,000.00, with a down payment of $50,000.00, for the installation of traffic lights and road resurfacing at the intersections of East Jersey Street at Winfield Scott Plaza, and Jackson Avenue at Monroe Avenue and Anna Street.

ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4476 - Authorize the adoption of a Capital Ordinance in the amount of $750,000.00 for the purchase and installation of a new phone system.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, AUGUST 26, 2014, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

ORD. NO. 4469 - Amend Chapter 2.56, Section 110 (B), of the Code of the City of Elizabeth, specifically relating to the Table of Organization of the Police Department; Police Personnel, as provided on attached schedule.

ORD. NO. 4470 - Amend Chapter 2.60.090 (B), of the Code of the City of Elizabeth, specifically relating to the Table of Organization of the Fire Department; Fire Personnel, as provided on attached schedule.

ORD. NO. 4471 - Amend Ord. No. 1747 entitled "An Ordinance to Establish Certain Classified and Unclassified Positions in the City's Table of Organization and To Set The Annual Compensation For Said Positions To Be Paid From April 1, 1984, Except As Otherwise Provided, As Provided By The Municipal Budget To Be Paid As Other Employees Are Paid," as provided on attached schedule.

ORD. NO. 4472 - An ordinance to exceed the State Fiscal Year 2015 Municipal Budget Appropriation Limits and to establish a Cap Bank, pursuant to N.J.S.A. 40A:4-45.14.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2014 Capital budget in the amount of $1,750,000.00.

Authorize Fiscal Year 2014 Municipal and Sewer Utility Budget transfers in the amount of $42,500.00.

Authorize Temporary Emergency appropriations for the 2015 Fiscal Year Municipal and Sewer Utility Budgets in the amount of $568,398.64.

In compliance with SFY 2014 Appropriations Act (Best Practices Requirement), City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Confirm the reappointment of the following to serve as Municipal Public Defenders for the Municipal Court for the period July 1, 2014 to June 30, 2015, at a rate of $300.00 per session, for a total amount not to exceed $140,000.00: Candido Rodriquez, Jr., Esq., as Chief Municipal Defender at an additional compensation of $5,000.00; Diene Hernandez-Rodriguez, Esq., Elizabeth; Chanima K. Odoms, Esq., Scotch Plains; Deirdre M. Mason, Esq., Scotch Plains; Celeste Dudley-Smith, Esq. Union; Nuno Afonso, Esq., Jubilo L. Afonso, Esq., Elizabeth; Lindal Scott Foster, Esq., Elizabeth; and Maria M. Dias, Esq., Elizabeth.

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 2013 Annual Audit Report entitled: General Comments/Recommendations.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Motorola Communications & Electronics, Inc., P.O. Box 161, Wharton, N.J., for the purchase of communications equipment and accessories for various departments for the period May 31, 2014 through June 30, 2015, at a cost not to exceed $30,000.00.

Authorize the proper City officials to execute an agreement with the Elizabeth Parking Authority for the rental of twenty-five (25) parking spaces in Lot #6 and three hundred (300) parking spaces in Lot #2 at a rate of $25.00 per parking space per month for the period July 1, 2014 through June 30, 2015, at a total cost of $97,500.00 for one year.

Authorize the award of a contract to NY Marine & General Insurance Company/ Midlands Management Corporation, 3503 N.W. 63rd Street, Oklahoma City, OK, through the agent-of-record, Sirocco Group, for a policy of insurance covering Excess Insurance on Workers Compensation/General Liability for the period July 1, 2014 to June 30, 2015 at an annual premium of $232,448.00.

Authorize the award of a contract to Qual-Lynx (formerly Scibal Associates, Inc.,) 30 Knightsbridge Road, Piscataway, N.J., for the administration of the City's Third Party Administration of the Workers Compensation and Auto Liability/Property Program for the period August 1, 2014 through July 31, 2017 in the amount of $190,000.00 per year.

Authorize the award of a contract to Kean University, 1000 Morris Avenue, Union, N.J., for Computer Consulting Services for the period July 1, 2014 to June 30, 2015, at a cost not to exceed $50,500.00.

Authorize the proper City officials to execute an Indemnification Agreement with the Elizabeth Board of Education, covering the City's utilization of Board of Education facilities during the 2014-2015 fiscal year.

Authorize the award of a contract to William H. Malone, Jr., 976 Byron Avenue, Elizabeth, N.J., to provide the City with Insurance Management Consulting Services for the period July 1, 2014 through June 30, 2015, at a flat fee of $25,000.00.

Authorize the award of a contract to Horizon Healthcare Dental Services, 1427 Wyckoff Road, Farmingdale, N.J., to provide City employees with a Dental Insurance Program for the period July 1, 2014 to June 30, 2016, at a cost not to exceed $925,000.00 per year or a total amount not to exceed $1,850,000.00 covering a two year period.

Authorize the proper City officials to execute a contract with Discovery Benefits, 3116 13th Avenue S, Fargo, ND, to provide billing services and premium collection in connection with the COBRA mandate, for the period July 1, 2014 to June 30, 2017, at a cost not to exceed $1,750.00 per year.

Authorize the award of a contract to Dr. Michael R. Zaboski, 240 Williamson Street, Elizabeth, N.J., to serve as the physician for the Elizabeth Police Department for the period July 1, 2014 to June 30, 2015, at a fee not to exceed $20,000.00.

Authorize the award of a contract to Storr Tractor Company, 3191 Route 22, Branchburg, N.J., for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period June 24, 2014 through June 28, 2015, at a cost not to exceed $100,000.00.

Authorize the award of a contract to Cherry Valley Tractor Sales, 35 Route 70 West, Marlton, N.J., for the purchase of parts and repairs for lawn and grounds equipment for the period June 24, 2014 through June 28, 2015, at a cost not to exceed $50,000.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Malouf Ford-Lincoln Mercury, P.O. Box 7480, North Brunswick, N.J, for the purchase of auto parts for light duty trucks for various departments for the period June 24, 2014 through June 25, 2015, at a cost not to exceed $50,000.00.

Authorize the award of a contract to Route 23 Auto Mall, 1301 Route 23 South, Butler, N.J., for purchase of auto parts for light duty vehicles for various departments, for the period June 24, 2014 through June 25, 2015, at a cost not to exceed $30,000.00.

Authorize the award of a contract to FDCJ, LLC, t/a Flemington Dodge Chrysler, 204 Routes 202 and 31 North, Flemington, N.J., for auto parts and accessories for light duty vehicles for various departments, for the period June 24, 2014 through June 25, 2015, at a cost not to exceed $30,000.00.

Authorize the award of a contract to AAM Motor Sales, d/b/a Jersey City Ford, 315 Clendenny Avenue, Jersey City, N.J, for the purchase of auto parts and accessories for light duty vehicles for various departments for the period June 24, 2014 through June 25, 2015, at a cost not to exceed $50,000.00.

Authorize the award of a contract to Old Dominion Brush Company, 5118 Glen Alden Drive, Richmond, VA, for the purchase of parts and repairs for road maintenance equipment for the period June 25, 2014 through June 25 2016, at a cost not to exceed $150,000.00.

Grant permission to the Historic Midtown Special Improvement District to conduct a festival and car show on Saturday, August 16, 2014, from 11:00 a.m. to 4:00 p.m. (rain date August 17, 2014), at Winfield Scott Plaza, between East Jersey Street and Elizabeth Avenue; Dickinson Street, from Jefferson Avenue to Winfield Scott Plaza and Martin Luther King, Jr., Boulevard, from Jefferson Avenue to East Jersey Street.

Authorize the adoption of the Amended and Restated Redevelopment Agreement for the conveyance of land to the developer for the construction of a supermarket and retail establishments in the Trumbull Street Redevelopment area between the City of Elizabeth and East Grand Associates Urban Renewal Entity, LLC., a New Jersey limited liability company, and Urban Renewal entity, c/o Jacobs Enterprises, Inc., 1051 Bloomfield Avenue, Clifton, N. J.

Authorize the award of a contract with the law firm of LaCorte, Bundy, Varady and Kinsella, Esqs., 989 Bonnel Court, Union, N.J., to provide the City with legal services in the defense of civil litigation in auto/general liability cases and matters included within the City's self-insurance program for the period July 1, 2014 to June 30, 2015, at a cost not to exceed $450,000.00, except as specifically authorized by City Council. .

Authorize the award of a contract with the law firm of LaCorte, Bundy, Varady and Kinsella, Esqs., 989 Bonnel Court, Union, N.J., to provide the City with legal services in the defense of Workers' Compensation cases and matters included within the City's partial self-insurance program for the period July 1, 2014 to June 30, 2015, at a cost not to exceed $150,000.00, except as specifically authorized by City Council.

Authorize the award of respective contracts to: Kologi & Smitz, Esqs., Linden; Edwin R. Matthews, Esq., Summit; Robert F. Renaud, Esq., Cranford; Peter H. Spaeth, Esq., Manasquan; Guy P. Ryan, Esq., Toms River; Kraig M. Dowd, Esq., Woodland Park; Allan C. Roth, Esq., Springfield ; Daniel Antonelli Esq., Union; Janyce M. Wilson, Esq., Westfield; Raymond S. Londa, Esq., Elizabeth, and Florio & Kenny, LLP, Hoboken, to serve as legal counsel for representation of the City and City employees in tort litigation where the law firm of LaCorte, Bundy, Varady, and Kinsella, Esqs., have a conflict of interest, for the period July 1, 2014 to June 30, 2015, at a cost not to exceed $65,000.00 per Attorney.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to enter into a contract with the law firm of Blau and Blau, Esqs., 55 Morris Avenue, Springfield, N.J., to provide the City with legal services in conjunction with tax appeal cases for Fiscal Year 2015 in an amount not to exceed $130,000.00.

Authorize the award of a contract to the law firm of DeCotiis, Fitzpatrick, and Cole, LLP., 500 Frank W. Burr Boulevard, Teaneck, N.J., to provide the City with bond counsel services in connection with the City's issuance of debt obligations for Fiscal Year 2015, at a cost not to exceed $60,000.00.

Authorize the proper City officials to enter into a contract with Stack, Coolahan & Stack, LLC., 90 Hudson Street, Hoboken, N.J., to provide the City with expert real estate appraisal services in connection with State Tax Court appeals, for Fiscal Year 2015, in an amount not to exceed $78,000.00.

Authorize the proper City officials to enter into a contract with Powell Capital Markets, Inc., 280 Corporate Center, 3 Becker Farm Road, Roseland, N.J., to provide financial advisory services in connection with the City's issuance of municipal and sewer utility debt obligations, including bonds and bond anticipation notes and any other financial analysis deemed necessary, for the Fiscal Year 2015, in an amount not to exceed $40,000.00.

Authorize the proper City officials to enter into a contract with Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Marlton, N.J., to provide financial advisory services in connection with the City's issuance of municipal and sewer utility debt obligations, including bonds and bond anticipation notes and any other financial analysis deemed necessary, for Fiscal Year 2015 in an amount not to exceed $40,000.00.

Authorize the proper City officials to enter into a contract award Louis C. Mai, CPA. and Associates, 6 Moonshadow Court, Kinnelon, N.J., to conduct statutory audits of the General Funds, Sewer Utility, other funds and single audit of Federal and State Grants for Fiscal Year 2015 and five year comparative statements in an amount not to exceed $216,000.00.

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 a vacant six (6) unit building located at 272 Second Street, in the amount of $360,000.00

Authorize the proper City officials to execute all necessary documents to provide a Rental Housing Program Deferred Payment loan to NJ Community Development Group, LLC, 2444 Morris Avenue, Elizabeth, N.J., for the acquisition and rehabilitation of a two (2) unit building located at 429-431 Jackson Avenue, in the amount of $120,000.00.

Authorize the proper City officials to execute all necessary documents for a Community Housing Development Organization (CHDO) grant for Y HOMES, INC., operating expenses for the period July 1, 2013 through June 30, 2014 in the amount of $20,000.00.

Authorize the proper City officials to execute all appropriate documents necessary in connection with amendments to the HOME Investment Partnership Program for Fiscal Years 2011, 2012 and 2013.

NEW BUSINESS (Cont'd.)

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 $10,915.13.

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 $1,837.33.

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 $3,079.94.

Authorize the award of a Levee Maintenance Contract to CMS Construction, Inc., 152 Sherman Avenue, Newark, N.J., for the Elizabeth River Flood Control Project from South Front Street to Trenton Avenue at a cost of $1,181,505.00.

Authorize Contract Amendment No. 2 to the contract awarded to Hatch Mott MacDonald to provide professional engineering services in connection with the Hurricane Sandy Disaster Recovery Assistance Program at a cost of $75,000.00, to provide additional engineering services for actual time and expenses at an additional cost of $80,000.00, plus reimbursables, with ninety per cent of the allowable costs to be reimbursed by FEMA..

Authorize the proper City officials to execute all appropriate documents to the Union County Open Space, Recreation and Historic Preservation –Kids Recreation Trust Fund Grant in an amount not to exceed $600,000.00, to fund synthetic turf at Kenah Field and to complete acquisition of land to construct an Environmental Education Center on Third Avenue and Doyle Street.

Authorize the proper City officials to enter into an Access Agreement with Public Service Electric and Gas Company, 80 Park Place Plaza, Newark, N.J., to complete surveys, wetlands delineations and test borings for repairs to their gas pipeline facilities as depicted on their plan on file in the Engineer's Office.

Establish a handicapped parking space in front of the premises located at 822 Rebecca Place.

Authorize settlement in the litigation matter of Dumeng vs. the City of Elizabeth, in the total amount of $25,000.00.

Authorize settlement in the litigation matter of Adams vs. the City of Elizabeth, in the total amount of $80,000.00.

Pay utility bills.

Approve Bingo and Raffle licenses.

COMMENDATIONS

MEMORIALS

Sheriff Ralph Froehlich
Felicia LaVecchia
Salvatore Mirabile
Nelson Goncalves
Michele G. Mazza, brother of Councilman Frank O. Mazza
Ione C. Etheridge Good
Irma Gonzales

ADJOURNMENT