

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, JUNE 9, 2015

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4594 - An ordinance authorizing acquisition of property located at 300-328 Atlantic Street for the anticipated construction of a subsurface storm water storage facility at the intersection of Atlantic Street and Third Avenue.
- ORD. NO. 4595 - Amend Ordinance No. 4245, adopted September 13, 2011, amending Chapter 3.12 of the Code of the City of Elizabeth, entitled "Tax Abatement for Certain Residential Properties," specifically to extend the expiration date from June 14, 2015 to June 14, 2020.
- ORD. NO. 4596 - Amend Ord. No. 3158, adopted July 27, 1999, creating the Elizabeth Avenue Special Improvement District, specifically to extend the term of the Elizabeth Avenue Partnership as the District Management Corporation of the Elizabeth Avenue Special Improvement District to August 31, 2020.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 28, 2015, from the Business Administrator requesting authorization for the proper City officials to approve the policy of insurance with Western Surety Bond Company of Sioux Falls, SD, through Hughes-Plumer Associates, covering Municipal Court Judges and the entire Municipal Court Personnel for the period of September 1, 2015 to September 1, 2016, at an annual premium of \$1,565.00. Which was received.

By the Clerk:

Letter dated May 29, 2015, from the Business Administrator recommending awarding a contract to David Weber Oil Co., 601 Industrial Road, Carlstadt, NJ, for Automotive Lubricants, Oils, Grease and Hydraulic Oils for various departments for the period of May 15, 2015 through May 29, 2016, at a cost not to exceed \$100,000.00. Which was received.

PUBLIC HEARINGS (Cont'd.)

By the Clerk:

Letter dated May 29, 2015, from the Business Administrator requesting authorization for the proper City officials to enter into an Interlocal Agreement and participate with the Houston-Galveston Area Council HGAC National Co-Op for the purchase of three (3) ambulances and for the purchase of fire trucks in the future; there is no fee to join, however, there is a \$1,000.00 per purchase order fee for ambulances and \$2,000.00 per purchase order for fire trucks. Which was received.

By the Clerk:

Letter dated June 1, 2015, from the Business Administrator recommending awarding a contract to Ben Shaffer & Associates, Inc., P.O. Box 844, Lake Hopatcong, NJ, for the purchase of park and playground equipment and parts to include but not limited to litter receptacles and liners for the Recreation and Public Works Departments during the period of May 15, 2015 through May 14, 2016, at a cost not to exceed \$100,000.00. Which was received.

By the Clerk:

Letter dated June 2, 2015, from the Business Administrator recommending awarding a contract to Marturano Recreation Co., P.O. Box 106, Spring Lake, NJ, for the purchase of playground and park equipment, new and replacement swings, picnic benches and spray park equipment for the period of July 1, 2015 to May 14, 2016, at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated June 2, 2015, from the Business Administrator advising that being satisfied that an emergency did exist, recommends the award of a contract to Rana Construction, Inc., P.O. Box 2700, Newark, NJ, for the immediate demolition of 444-446 East Jersey Street in the amount of \$67,524.00. Which was received.

By the Clerk:

Letter dated June 2, 2015, from the Business Administrator requesting authorization for the proper City officials to apply, accept and sign all relevant documents and accept funds from the FY 2014 Homeland Security Grant Program, through the New Jersey State Police, Office of Emergency Management, to supplement Police Officer salaries in the amount of \$10,000.00. Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer advising that additional grants may be appropriated in the 2015 SFY Budget by budget amendments. Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer advising that transfers for the 2015 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer advising that the SFY 2015 Appropriations Act requires that the Governing Body approve all payments related to accumulated/uncompensated absence benefits. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer requesting authorization to pre-qualify Stack, Coolahan & Stack, LLC, 90 Hudson Street, Hoboken, NJ, and NJ Realty Advisory Group, LLC, 333 State Street, P.O. Box 807, Perth Amboy, NJ, who submitted a proposal in response to the Request for Qualifications (RFQ) to the City of Elizabeth to provide Appraisal Services. Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer requesting authorization to pre-qualify Blau & Blau, Attorneys at Law, 223 Mountain Avenue, Springfield, NJ.; Jardin, Mersner & Susser, PC, 30B Vreeland Road, Suite 201, Florham Park, NJ.; Palumbo & Renaud, 190 North Avenue East, Cranford, NJ.; DeCotiis, FitzPatrick, & Cole, LLP, Glenpoint Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, NJ, who submitted proposals in response to the Request for Qualifications (RFQ) to the City of Elizabeth to provide Property Tax Attorney Services. Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer requesting authorization to pre-qualify Louis C. Mai, CPA & Associates, 6 Moonshadow Court, Kinnelon, NJ, who submitted a proposal in response to the Request for Qualifications (RFQ) to the City of Elizabeth to provide Auditing Services. Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer requesting authorization to pre-qualify DeCotiis, FitzPatrick, & Cole LLP, Glenpoint Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, NJ and Parker McCay, PA, 9000 Midlantic Drive, Suite 300, P.O. Box 5054, Mount Laurel, NJ, who submitted a proposal in response to the Request for Qualifications (RFQ) to the City of Elizabeth to provide Bond Attorney Services Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer requesting authorization to pre-qualify Powell Capital Markets, Inc., 3 Becker Farm Road, Roseland, NJ; Acacia Financial Group, Inc., 13000 Lincoln Drive West, Marlton, NJ; NW Financial Group, LLC, 10 Exchange Place, 17th Floor, Jersey City, NJ, who submitted a proposal in response to the Request for Qualifications (RFQ) to the City of Elizabeth to provide Financial Advisory Services. Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer recommending that City Council consider approving the Certification of the Preliminary 2016 State Fiscal Year Tax Levy in order that tax bills for the second half of calendar year 2015 be issued in a timely manner in accordance with state statutes. Which was received.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer requesting that your Honorable Body consider the Elizabeth Avenue Special Improvement District 2016 Fiscal Budget for introduction and approval. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated June 3, 2015, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a capital ordinance authorizing the acquisition of property at 601-613 Bond Street (the “Lion’s Den Lounge and Restaurant”) to promote the health, safety, and welfare of our citizens and is for the public purpose of an underground flood control sewer tank within the property per the recommendation of the Director of Public Works in the total amount of \$245,000.00. Which was received.

By the Clerk:

Letter dated May 27, 2015, from the Director of Planning and Community Development requesting that your Honorable Body consider approving a letter of support for Community Loan Fund of New Jersey/New Jersey Community Capital’s 2015 Neighborhood Enhancement Program application to the New Jersey Department of Community Affairs, Division of Housing and Community Resources to purchase and rehabilitate various vacant and blighted properties throughout the City in the amount of \$1 million. Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated May 28, 2015, from the Director of Planning and Community Development requesting authorization to extend the Fiscal Year 2011 EPA Brownfield Assessment Grant until September 2017, to include properties from South Second and Butler Streets for assessment. Which was received.

By the Clerk:

Letter dated June 1, 2015, from the Director of Planning and Community Development requesting that your Honorable Body declare August 4, 2015 National Night Out to be held at Veterans Memorial Waterfront Park, at the intersection of Front Street and Elizabeth Avenue from 6:00 p.m. to 8:00 p.m. Which was received.

By the Clerk:

Letter dated June 1, 2015, from the Director of Planning and Community Development requesting to amend the resolution dated March 10, 2015 for HOME funds in the amount of \$772,089.00 for 13 assisted units for Parkers Walk located at 200-220 Parker Road, specifically to reduce the amount of HOME funds to \$697,089.00; reduce the number of assisted units to 12 and to change the interest rate from 0% to 2.5%. Which was received.

By the Clerk:

Letter dated May 19, 2015, from the Director of Public Works recommending awarding a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ to provide Civil and Environmental Engineering On-Call Services on a time and material basis not to exceed \$95,000.00, plus reimbursables. Which was received.

By the Clerk:

Letter dated May 26, 2015, from the Director of Public Works requesting permission to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of \$3,246.44. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 26, 2015, 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 \$1,339,70. Which was received.

By the Clerk:

Letter dated May 28, 2015, from the Director of Public Works requesting that your Honorable Body consider supporting the proposed New Jersey Department of Transportation northbound intersection improvements to Route 27 (Cherry Street) at West Grand Street. Which was received.

By the Clerk:

Letter dated June 1, 2015, 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 \$2,283.89. Which was received.

By the Clerk:

Letter dated June 1, 2015, 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 \$2,099.46. Which was received.

By the Clerk:

Letter dated June 1, 2015, from the Director of Public Works requesting authorization for the acquisition of the property located at 601-613 Bond Street for construction of an underground storm water storage facility with an approximate capacity of one million gallons on the site. Which was received

By the Clerk:

Letter dated June 1, 2015, from the Director of Public Works recommending awarding a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ to provide civil engineering services on a time and material basis for actual time and expenses in connection with the salt dome storage facility design and construction inspection located at 330-338 Atlantic Street at a cost not to exceed \$114,800.00, plus reimbursables. Which was received.

By the Clerk:

Letter dated May 28, 2015, from the Police Director requesting the establishment of a handicapped parking space in front of 1014 Emma Street, 2nd Floor and the deletion of a handicapped parking space in front of 557 First Avenue. Which was received.

By the Clerk:

Letter dated May 26, 2015, from the Police Director requesting to establish handicapped parking spaces in front of the following premises: 850 Martin Street (personalized); 1146 Mary Street (personalized); 618 Myrtle Street, Apt 2R (personalized); 251 Magnolia Avenue; 480 Walnut Street; 548 Walnut Street; 16 Christine Street, 2nd Floor; deletion: 548 Walnut Street; 480 Walnut Street. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 20, 2015, from Richard Burrow, Langan, River Drive Center 1, 619 River Drive, Elmwood Park, NJ on behalf of E & A Ventures, LLC requesting an Encroachment Permit to construct and maintain a monument sign within the right-of-way of 900 Fairmount Avenue.
Which was received.

By the Clerk:

Letter dated May 20, 2015, from the Elizabeth Avenue Partnership, 913 Elizabeth Avenue, Elizabeth, NJ, requesting permission to conduct a Sidewalk Sale on Elizabeth Avenue during the following weekends: Thursday, June 18 to Saturday, June 20, 2015, with rain dates for the following weekend; June 25 through 27, 2015; Thursday, August 27 through Saturday, August 29, 2015, with rain dates for the following weekend; Thursday, September 3 through September 5, 2015; Thursday, September 24 through September 26, 2015 with rain dates for the following weekend: October 1 through October 3, 2015.
Which was received.

REPORTS OF CITY OFFICERS

NONE

ORDINANCES ON FIRST READING

- ORD. NO. 4597 - Grant an encroachment permit to Langan Engineering & Environmental Services, Inc., 619 River Drive, Elmwood Park, N.J., on behalf of E & A Ventures, LLC, to construct and maintain a monument sign within the public right-of-way of 900 Fairmount Avenue.
- ORD. NO. 4598 - An ordinance authorizing acquisition of property located at 601-613 Bond Street, Block 7, Lot 1227, for construction of an underground storm water storage facility in the amount of \$245,000.00.
- ORD. NO. 4599 - Authorize the establishment of a personalized handicapped parking space for Jesus A. Solarte, 618 Myrtle Street.
- ORD. NO. 4600 - Authorize the establishment of a personalized handicapped parking space for Diana Rodriguez, 1146 Mary Street.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING
ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE
HELD TUESDAY, JUNE 23, 2015, AT 7:30 P.M.**

ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4601 - Authorize the adoption of a Capital Ordinance in the amount of \$245,000.00 for the acquisition of property located at 601-613 Bond Street to construct an underground storm water storage facility.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, JULY 7, 2015, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

ORD. NO. 4594 - An ordinance authorizing acquisition of property located at 300-328 Atlantic Street for the anticipated construction of a subsurface storm water storage facility at the intersection of Atlantic Street and Third Avenue.

ORD. NO. 4595 - Amend Ordinance No. 4245, adopted September 13, 2011, amending Chapter 3.12 of the Code of the City of Elizabeth, entitled "Tax Abatement for Certain Residential Properties," specifically to extend the expiration date from June 14, 2015 to June 14, 2020.

ORD. NO. 4596 - Amend Ord. No. 3158, adopted July 27, 1999, creating the Elizabeth Avenue Special Improvement District, specifically to extend the term of the Elizabeth Avenue Partnership as the District Management Corporation of the Elizabeth Avenue Special Improvement District to August 31, 2020.

NEW BUSINESS

In compliance with SFY 2015 Appropriations Act (Best Practices Requirement), City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Introduce and approve the Elizabeth Avenue Special Improvement District Fiscal Year 2016 Budget in the amount of \$325,320.00.

(PUBLIC HEARING AND FURTHER CONSIDERATION TO BE HELD TUESDAY EVENING, JUNE 23, 2014.)

Authorize the adoption of a resolution that would pre-qualify Stack, Coolahan & Stack, LLC., 90 Hudson Street, Hoboken, N.J., and N.J. Realty Advisory Group, LLC., 333 State Street, Perth Amboy, N.J., who submitted a Request for Qualifications as a prospective Appraiser to serve the City during the 2016 State Fiscal Year.

Authorize the adoption of a resolution that would pre-qualify Blau and Blau, Attorneys at Law, 223 Mountain Avenue, Springfield, N.J.; Jardin, Mersner & Susser, PC., 30B Vreeland Road, Florham Park, N.J.; Palumbo & Renaud, 190 North Avenue East, Cranford, N.J., and DeCotiis, FitzPatrick, Cole and Wisler, LLP., 500 Frank W. Burr Boulevard, Teaneck, N.J., who submitted a Request for Qualifications as prospective Property Tax Attorneys to serve the City during the 2016 State Fiscal Year.

NEW BUSINESS (Cont'd.)

Authorize the adoption of a resolution that would pre-qualify Louis C. Mai, CPA & Associates, P.O. Box 624, Pompton Plains, N.J., who submitted a Request for Qualifications as prospective Auditors to serve the City during the 2016 State Fiscal Year.

Authorize the adoption of a resolution that would pre-qualify DeCotiis, FitzPatrick, Cole, LLP., 500 Frank W. Burr Boulevard, Teaneck, N.J., and Parker McCay, P.A., 9000 Midlantic Drive, Mount Laurel, N.J., who submitted a Request for Qualifications as prospective Bond Attorneys to serve the City during the 2016 State Fiscal Year.

Authorize the adoption of a resolution that would pre-qualify Powell Capital Markets, Inc., 3 Becker Farm Road, Roseland, N.J.; Acacia Financial Group, Inc., 13000 Lincoln Drive West, Marlton, N.J.; NW Financial Group, LLC, 10 Exchange Place, Jersey City, N.J., and Phoenix Advisors, 4 West Park Street, Bordentown, N.J., who submitted a Request for Qualifications as prospective Financial Advisors to serve the City during the 2016 State Fiscal Year.

Certify the Preliminary 2016 State Fiscal Year tax levy for the second half of Calendar Year 2015 in the amount of \$138,040,018.55.

Authorize the award of a contract to Western Surety Bond Company of Sioux Falls, S. D., through the agent of record, Hughes-Plumer and Associates, Inc., to provide a policy of insurance covering the Municipal Court Judges and the entire Municipal Court personnel, for the period September 1, 2015 to September 1, 2016, at an annual premium of \$1,565.00.

Authorize the award of a contract to David Weber Oil Company, 601 Industrial Road, Carlstadt, N.J., for the purchase of automotive lubricants, oils, grease and hydraulic oils for various departments for the period May 15, 2015 through May 29, 2016, at a cost not to exceed \$100,000.00.

Authorize the proper City officials to enter into an Interlocal Agreement and participate with the Houston-Galveston Area Council HGAC National Co-Op for the purchase of three (3) ambulances with a \$1,000 order fee and for future purchase of fire trucks with a \$2,000 order fee.

Authorize the award of a contract to Ben Shaffer & Associates, Inc., P.O. Box 844, Lake Hopatcong, N.J., for the purchase of park and playground equipment for the Recreation and Public Works Departments for the period May 15, 2015 through May 14, 2016, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to Marturano Recreation Company, P.O. Box 106, Spring Lake, N.J., for the purchase of playground and park equipment for the Department of Recreation for the period July 1, 2015 to May 14, 2016 at a cost not to exceed \$50,000.00.

Authorize the proper City officials to execute all appropriate documents for FY 2014 Homeland Security Grant Program funds, through the New Jersey State Police, Office of Emergency Management, in the amount of \$10,000.00 to supplement Police Officer salaries.

Authorize the proper City officials to extend the FY 2011 Environmental Protection Agency's Brownfield Assessment Grant to September, 2017, specifically to include properties from South Second Street and Butler Street for assessment.

NEW BUSINESS (Cont'd.)

Amend a resolution adopted March 10, 2015, to provide a Rental Housing Program Deferred Payment Repayable Loan to Parkers Walk Urban Renewal, LLC., for thirteen (13) program-assisted residential units located at 200-220 Parker Road, in the amount of \$772,089.00, specifically to reduce the amount of HOME funds to \$697,089.00, reduce the number of assisted units to twelve (12) and to change the interest rate from 0% to 2.5%.

Authorize the award of a contract to the T & M Associates, 11 Tindall Road, Middletown, N.J., to provide professional civil engineering and environmental engineering on-call services on a time and material basis, at a cost not to exceed \$95,000.00, plus reimbursables.

Authorize the award of a contract to T & M Associates, 11 Tindall Road, Middletown, N.J., to provide civil engineering services on a time and material basis in connection with the design and construction inspection of the salt dome storage facility at 330-338 Atlantic Street at a cost not to exceed \$114,800.00, plus reimbursables.

Adopt a "Resolution of Support", as proposed by the N.J. Department of Transportation, for improvements at the northbound intersection to Route 27 (Cherry Street) at West Grand Street.

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 \$3,246.44.

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 \$2,099.46.

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 \$1,339.70.

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 \$2,283.89.

Establish a handicapped parking space in front of the premises located at 480 Walnut Street.

Establish a handicapped parking space in front of the premises located at 548 Walnut Street.

Establish a handicapped parking space in front of the premises located at 170 Catherine Street.

Delete the following handicapped parking spaces from in front of the premises located at 557 First Avenue, 548 Walnut Street, 480 Walnut Street and 618 Myrtle Street (now to be personalized).

Authorize settlement in the workers compensation litigation matter of Flatley vs. the City of Elizabeth, in the total amount of \$38,044.12.

Permit the Elizabeth Avenue Partnership, 913 Elizabeth Avenue, to conduct three (3) sidewalk sales on Elizabeth Avenue to be held on June 18 thru 20 (rain date the following weekend); August 27 thru 29 (rain date the following weekend), and September 24 thru 26, 2015 (rain date the following weekend).

NEW BUSINESS (Cont'd.)

Declare August 4, 2015, as National Night Out.

Grant permission to place a Vanity Street Sign at Fourth Avenue and High Street, "DiCosmo Place" in recognition of DiCosmo Lemon Ice in business for 100 years.

Request the County Clerk to consider changing the Vote By Mail ballot to mirror the voting machine and sample ballot.

Pay Utility bills.

COMMENDATIONS

Yolanda Eady-Perkins, Woman of the Year (Second Macedonia
D. Troy Hudson, Man of the Year (Third Annual
Assemblyman Jamel C. Holly, Humanitarian of the Year (Scholarship Program
Joshua Crawford, Student of the Year (

Linda Flores-Tober, Executive Director, Elizabeth Coalition
To House the Homeless, Dell Raudelunas Spirit of Caring Award,
United Way of Greater Union County

MEMORIALS

Jennifer Clarke
Patricia Tevnan Brennan
Francesca Starace

ADJOURNMENT