

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, NOVEMBER 25, 2014

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4515 - Amend Chapter 8.80.020 and 8.80.030 of the Code of the City of Elizabeth entitled "Vacant and Foreclosing Residential Properties", specifically to designate a third party to manage the records relating to vacant and foreclosing property registration.
- ORD. NO. 4516 - Amend Chapter 15.04.040 of the Code of the City of Elizabeth entitled "Buildings and Construction", specifically to increase construction permit fees effective January 1, 2015.
- ORD. NO. 4517 - Authorize the establishment of a personalized handicapped parking space for Victor H. Vasquez, 326 Amity Street.
- ORD. NO. 4518 - Authorize the establishment of a personalized handicapped parking space for Flavio Bernal, 131 Clark Place.
- ORD. NO. 4519 - Authorize the establishment of a personalized handicapped parking space for Maria T. Parades, 224 Ripley Place.
- ORD. NO. 4520 - Authorize the establishment of a personalized handicapped parking space for Tiffany Sanchez-Diaz, 1081 William Street.
- ORD. NO. 4521 - Authorize the establishment of a personalized handicapped parking space for Caridad Sanz-Deaguilera, 964 DeHart Place.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 17, 2014, from the Business Administrator requesting an amendment to the resolution adopted March 26, 2013, awarding a contract to East Coast Emergency Lighting, Millstone Township, NJ, for the purchase of Emergency Lighting and Installation for the Police Department at a cost not to exceed \$150,000.00, specifically to include required additional emergency lighting items expiration date and amount will remain the same.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 13, 2014, from the City Attorney requesting authorization to execute a contract with the law firm of DeCotiis, Fitzpatrick & Cole, LLP, 500 Frank W. Burr Boulevard, Teaneck, NJ, for legal representation as Condemnation Counsel to acquire 75-77 W. Jersey Street at a rate of \$175.00 per hour plus costs not to exceed \$75,000.00 for the period of November 27, 2014 through November 26, 2015, due to a conflict of interest with the previously agreed appointment of John C. Reilly, Esq. Which was received.

By the Clerk:

Letter dated November 17, 2014, 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 November 17, 2014, from the Chief Financial Officer advising that in compliance with the SFY 2015 Appropriations Act requires that your Honorable Body approve all payments related to accumulated/uncompensated absence benefits. Which was received.

By the Clerk:

Letter dated November 17, 2014, from the Chief Financial Officer recommends that City Council of the City of Elizabeth request the Director of the Division of Local Finance make the following estimated corrections (changes) in the 2015 Municipal Budget to account for the City's share (local share) of grants (Chapter 159) approved subsequent to the adopted budget: Matching Funds-City's Share from \$1,600,000 to \$1,580,000; Local Share: Greening Union County from -0- to \$20,000. Which was received.

By the Clerk:

Letter dated November 17, 2014, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a supplemental bond ordinance authorizing and increasing the total anticipated costs of engineering and construction for the Elizabeth River Flood Control Project by \$1,300,000, thereby increasing the bond to \$8,800,000. Which was received.

By the Clerk:

Letter dated November 17, 2014, from the Chief Financial Officer requesting to amend the Sewer Utility South Street Flood Control Program Bond Ordinance No. 4320, specifically for the installation of new sewers and conduit for the conveyance of storm water to the South Street Pump Station, in the amount of \$125,000, thereby increasing the amount of the Bond Ordinance to \$5,125,000. Which was received.

By the Clerk:

Letter dated November 17, 2014, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a bond ordinance authorizing the costs of engineering and construction of the Progress Street Flood Control Project in the area of North Avenue East and Dowd Avenue in an amount not to exceed \$4,500,000.

By the Clerk:

Letter dated November 17, 2014, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a capital ordinance authorizing the purchase and installation of a computer aided dispatch and records management system in the amount of \$600,000. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 17, 2014, from the Chief Financial Officer requesting authorization for the City of Elizabeth to submit applications to the Local Finance Board to participate in the New Jersey Environmental Trust Financing Program for the City's Progress Street Flood Control Project (4.5 million); Elizabeth River Flood Control-Supplemental (\$1.3 million to \$8.8 million); South Street Flood Control-Amendment (125,000 to \$5,125,000). Which was received.

By the Clerk:

Letter dated November 17, 2014, from the Chief Financial Officer advising that in compliance with the SFY 2012 Appropriations Act requires that the Honorable Members of City Council attend basic courses on their responsibilities and obligations in Local Government. Which was received.

By the Clerk:

Letter dated November 6, 2014, from the Director of Health and Human Services requesting an amendment to the resolution adopted February 11, 2014, authorizing the submission of an application to accept the award and authorization for the proper City officials to sign any and all documents pertaining to the Elizabeth Municipal Alliance grant, specifically to the grant amount of \$75,854.00. Which was received.

By the Clerk:

Letter dated November 14, 2014, from the Director of Health and Human Services recommending awarding contracts between the City of Elizabeth, Department of Health and Human Services with the Town of Westfield and their contracting municipalities; Township of Union; City of Linden; Borough of Roselle; Township of Hillside; City of Rahway; Township of Springfield; Township of Scotch Plains; and Township of Winfield; Kenilworth Board of Health, Berkeley Heights Health Department and Clark Health Department each municipality agrees to pay \$200.00 per patient visit and \$50.00 for X-Ray examinations and an additional cost of \$75.00 to University Radiology Group for the reading of the X-Ray; payable upon receipt of a report of a confirmed medical service rendered at the Clinic for Tuberculosis for the period of January 1, 2015 through December 31, 2015. Which was received.

By the Clerk:

Letter dated November 14, 2014, from the Director of Health and Human Services requesting permission to enter into an agreement with Snyder Academy of Elizabethtown for the rental of the facility for the Senior Citizens Holiday Party to be held on December 18, 2014 at a cost of \$600.00. Which was received.

By the Clerk:

Letter dated November 14, 2014, from the Director of Health and Human Services recommending awarding contracts between the City of Elizabeth, Department of Health and Human Services with the Town of Westfield and their contracting municipalities; Township of Union; City of Linden; Borough of Roselle; Township Hillside; City of Rahway; Township of Springfield; Township of Scotch Plains; Winfield; Kenilworth Board of Health, Berkeley Heights Health Department and Clark Health Department each municipality agrees to pay \$150.00 per patient visit for services rendered at the Sexually Transmitted Disease (STD) clinic; total sum payable upon receipt of a report containing each confirmed case from each municipality for the period of January 1, 2015 through December 31, 2015. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 10, 2014, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with Brand New Day, Inc., 176 First Street, Elizabeth, NJ, for funds in the amount of \$13,000.00 to be used for the Youth Build Elizabeth Program for the period July 1, 2014 until December 31, 2015. Which was received.

By the Clerk:

Letter dated November 13, 2014, from the Director of Planning and Community Development requesting authorization for the proper City officials to submit, accept and execute a grant application to the U.S. Environmental Protection Agency for funds in the amount of \$400,000 to be used for the remedial action investigative work for the City-owned properties located at 200-238 South Second Street and 201-227 Butler Street. Which was received.

By the Clerk:

Letter dated November 14, 2014, from the Director of Planning and Community Development requesting an amendment to the resolution adopted October 14, 2014 awarding a contract to John C. Reilly, Esq., Iselin, NJ, to serve as Condemnation Counsel for the acquisition of 300-328 Atlantic Street, specifically to include at a cost not to exceed \$75,000.00. Which was received.

By the Clerk:

Letter dated November 13, 2014, from the Director of Public Works requesting that your Honorable Body consider authorizing the renewal of the contract with Regional Industries, LLC, for a one (1) year period commencing January 1, 2015 to December 31, 2015 at a cost of \$4,225,000.00 for the third year of the five (5) year contract. Which was received.

By the Clerk:

Letter dated November 13, 2014, from the Director of Public Works requesting authorization from your Honorable Body to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of \$1,965.69. Which was received.

By the Clerk:

Letter dated November 17, 2014, from the Director of Public Works requesting Contract Amendment No. 1 to the contract with Envar Services, Inc., North Brunswick, NJ, to provide professional engineering services in connection with the Hurricane Sandy Reconstruction Design and Construction Observation Veterans Memorial Waterfront Park, Marina, Recreation Pier, Hike, Bike & Roll Throughway, Marciante-Millet-Jackson Park and Atalanta Public Access Walkway in the original amount of \$657,000.00 plus reimbursable, specifically to provide civil engineering services on a time and material basis for actual time and expenses in connection with the Hurricane Sandy Damage Reconstruction along the Waterfront at an additional cost not to exceed \$76,500.00 plus reimbursable raising the amount of the contract to \$733,500.00; ninety percent of the allowable costs will be reimbursed by FEMA. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated July 22, 2014, from the Police Director requesting to rescind the Loading Zone established on the south side of Virginia Street, between Madison and Jefferson Avenues, as well as the “No Parking for Street Cleaning” on the South Side and install a “No Parking 8 AM to 5PM Monday through Friday.” Which was received.

By the Clerk:

Letter dated November 7, 2014, from the Police Director requesting to establish handicapped parking spaces in front of 459 Franklin Street (personalized); 565 Fourth Avenue (personalized); 451 Monroe Avenue; 224 Fulton Street. Which was received.

By the Clerk:

Letter dated November 10, 2014, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Department of Transportation Highway Safety Fund Safe Corridors Act for an amount not to exceed \$70,654.87. Which was received.

By the Clerk:

Letter dated November 10, 2014, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Drive Sober or Get Pulled over 2014 Year End Holiday Crackdown grant in the amount of \$7,500.00 for the period of December 5, 2014 through January 2, 2015. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Minutes: Fair Rental Housing Board meeting held September 17, 2014. Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4523 - Amend Chapter 10.28.040 of the Code of the City of Elizabeth entitled “Schedule II – No Parking Certain Hours,” specifically to add the south side of Virginia Street, between Madison Avenue and Jefferson Avenue, from 8:00 a.m. to 5:00 p.m., Monday to Friday, and remove the “No Parking for Street Cleaning” sign.
- ORD. NO. 4524 - Rescind Ordinance No. 4514, adopted November 12, 2014, which authorized the establishment of a personalized handicapped parking space for Stuart Robles, 426 South Fifth Street.
- ORD. NO. 4525 - Authorize the establishment of a personalized handicapped parking space for Sheryl D. Thorpe, 459 Franklin Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, DECEMBER 9, 2014, AT 7:30 P.M.

ORDINANCES ON FIRST (Cont'd.)

- ORD. NO. 4526 - Authorize the adoption of a Capital Ordinance in the amount of \$600,000.00 for the purchase and installation of a computer-aided dispatch and records management system.
- ORD. NO. 4527 - Authorize the adoption of a Bond Ordinance in the amount of \$4,500,000.00 for the cost of engineering and construction of the Progress Street Flood Control Project in the area of North Avenue East and Dowd Avenue.
- ORD. NO. 4528 - Amend Ord. No. 4320, adopted July 24, 2012, providing for improvements to the South Street Sewer System, specifically to increase the amount an additional \$125,000.00 for the installation of new sewers and conduit for the conveyance of storm water to the South Street Pump Station.
- ORD. NO. 4529 - Authorize the adoption of a Supplemental Bond Ordinance in the additional amount of \$1,300,000.00 for the anticipated costs of engineering and construction of the Elizabeth River Flood Control Project.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, DECEMBER 23, 2014, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4515 - Amend Chapter 8.80.020 and 8.80.030 of the Code of the City of Elizabeth entitled "Vacant and Foreclosing Residential Properties", specifically to designate a third party to manage the records relating to vacant and foreclosing property registration.
- ORD. NO. 4516 - Amend Chapter 15.04.040 of the Code of the City of Elizabeth entitled "Buildings and Construction", specifically to increase construction permit fees effective January 1, 2015.
- ORD. NO. 4517 - Authorize the establishment of a personalized handicapped parking space for Victor H. Vasquez, 326 Amity Street.
- ORD. NO. 4518 - Authorize the establishment of a personalized handicapped parking space for Flavio Bernal, 131 Clark Place.
- ORD. NO. 4519 - Authorize the establishment of a personalized handicapped parking space for Maria T. Parades, 224 Ripley Place.
- ORD. NO. 4520 - Authorize the establishment of a personalized handicapped parking space for Tiffany Sanchez-Diaz, 1081 William Street.
- ORD. NO. 4521 - Authorize the establishment of a personalized handicapped parking space for Caridad Sanz-Deaguilera, 964 DeHart Place.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2015 Capital Budget in the amount of \$6,525,000.00.

Authorize an amendment to the Fiscal Year 2015 Budget to insert, as an Item of Revenue, a County of Union Kids Recreation Trust 2014 Grant in the amount of \$85,000.00.

Authorize an amendment to the Fiscal Year 2015 Budget to insert, as an Item of Revenue, a State of New Jersey Highway Safety Grant in the amount of \$70,654.87.

Authorize an amendment to the Fiscal Year 2015 Budget to insert, as an Item of Revenue, a New Jersey Department of Health & Senior Services STD 2014 Grant in the amount of \$39,337.00.

Authorize an amendment to the Fiscal Year 2015 Budget to insert, as an Item of Revenue, a New Jersey Division of Criminal Justice Body Armor 2014 Grant in the amount of \$25,468.00.

Authorize an amendment to the Fiscal Year 2015 Budget to insert, as an Item of Revenue, a Greening Union County Grant in the amount of \$20,000.00 (Local Share - \$20,000.00).

Authorize an amendment to the Fiscal Year 2015 Budget to insert, as an Item of Revenue, a New Jersey Department of Law & Public Safety Drive Sober or Get Pulled Over 2014 Grant in the amount of \$7,500.00.

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

Authorize the proper City officials to submit a request to the Director, Division of Local Finance, to make corrections in the City's 2015 Fiscal Year Municipal Budget to account for Change of Title or Text of Appropriation approved subsequent to the adopted budget.

Authorize the proper City officials to submit applications to the Local Finance Board to participate in the New Jersey Environmental Trust Financing Program for the City's Progress Street Flood Control Project, the Elizabeth River Flood Control Project and the South Street Flood Control Project.

Amend a resolution adopted March 26, 2013, authorizing the award of a contract to East Coast Emergency Lighting for the purchase of emergency lighting and installation for the Police Department, specifically for additional emergency lighting items with no change to the term of the contract or amount.

Authorize the award of a contract to DeCotiis, Fitzpatrick, and Cole, LLP., 500 Frank W. Burr Boulevard, Teaneck, N.J., to serve as Condemnation Counsel for the property located at 75-77 West Jersey Street, at a cost not to exceed \$75,000.00 for the period November 27, 2014 to November 30, 2015.

Amend the resolution adopted February 11, 2014, authorizing the continuation of the Elizabeth Municipal Alliance, specifically to add the grant amount of \$75,854.00, inadvertently omitted.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to execute an agreement between the City of Elizabeth, Department of Health and Human Services and the Town of Westfield ; Union Township; City of Linden; Borough of Roselle; Hillside Township; City of Rahway; Springfield Township; Scotch Plains Township; Winfield Township; Kenilworth Board of Health; Berkeley Heights Health Department and Clark Health Department for services rendered at the Union County TB Reactor Clinic in Elizabeth, according to the terms of the agreement payable upon receipt of a report confirming said service for the period January 1, 2015 to December 31, 2015.

Authorize the proper City officials to execute an agreement between the City of Elizabeth, Department of Health and Human Services and the Town of Westfield ; Union Township; City of Linden; Borough of Roselle; Hillside Township; City of Rahway; Springfield Township; Scotch Plains Township; Winfield Township; Kenilworth Board of Health; Berkeley Heights Health Department and Clark Health Department for services rendered at the Sexually Transmitted Disease (STD) Clinic in Elizabeth, according to the terms of the agreement payable upon receipt of a report confirming said service for the period January 1, 2015 to December 31, 2015.

Authorize the proper City officials to execute an agreement with Snyder Academy of Elizabethtown for the rental of the facility for the Senior Citizens Holiday Party to be held on December 18, 2014 at a cost of \$600.00.

Authorize the proper City officials to execute an agreement with Brand New Day, Inc., 176 First Street, Elizabeth, for funds in the amount of \$13,000.00 to be used for the Youth Build Elizabeth Program for the period July 1, 2014 until December 31, 2015.

Authorize the proper City officials to execute a grant application to the U.S. Environmental Protection Agency for funds in the amount of \$400,000.00 for remedial investigative work for City-owned properties located at 200-238 South Second Street and 201-227 Butler Street.

Amend the resolution adopted October 14, 2014, awarding a contract to John C. Reilly, Esq., to serve as Condemnation Counsel for the acquisition of the property at 300-328 Atlantic Street, specifically to include "at a cost not to exceed \$75,000.00."

Authorize the renewal of the contract with Regional Industries, LLC., 800 East Grand Street, Elizabeth, to provide for the collection, hauling and disposal of garbage, trash and recyclable materials throughout the City for the third year of the five year contract, commencing January 1, 2015 to December 31, 2015, in the amount of \$4,225,000.00, in accordance with the terms and schedule of prices submitted at the time of bid.

Authorize Amendment No. 1 to the contract awarded to Envar Services, Inc., to provide professional engineering services in connection with the Hurricane Sandy reconstruction along the Waterfront, specifically to provide additional construction required at the Veterans Memorial Park, Marina, Recreation Pier, Hike, Bike & Roll Throughway; Marciante-Millet-Jackson Park and Atalanta Public Access Walkway on a time and material basis at an additional cost not to exceed \$76,500.00, with 90% allowable costs to be reimbursed by FEMA.

Rescind a resolution adopted August 27, 2013, establishing a loading zone on the south side of Virginia Street, beginning 59 feet north of Madison Avenue and continuing 75 feet westerly thereof, between the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.

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 \$1,965.69.

NEW BUSINESS (Cont'd.)

Establish a handicapped parking space in front of the premises located at 426 South Fifth Street.

Authorize the proper City officials to execute all appropriate documents for the New Jersey Department of Transportation - Highway Safety Fund Safe Corridors Act grant for procurement of enforcement equipment in an amount not to exceed \$70,654.87.

Authorize the proper City officials to apply and accept the New Jersey Division of Highway Traffic Safety – Drive Sober or Get Pulled Over 2014 Year End Holiday Crackdown Grant for the period December 5, 2014 through January 2, 2015 in an amount not to exceed \$7,500.00

Authorize settlement in the litigation matter of the City of Elizabeth vs. Saxony Motel, Inc.

Pay utility bills.

Approve Bingo and Raffle licenses.

COMMENDATIONS

Rev. Wallace K. Thomas, Greater Faith Temple Church
Clarissa Marchese, Miss Italia 2014
Ann Evans Estabrook

Altamease Williams ()
Luella McNeil ()
Blanche Warner ()
Emma Taylor ()
Lisa D. Dillard ()
Viola Mae Alston ()
Barbara Townsend ()
Damian Brown ()
Mary Pershay ()
E. Lynn Harris ()
Marilyn Spicer ()
Ron Taylor ()
Matty Vaughn ()

Kim Nesbitt of the
Nesbitt Funeral Home
Honoring the
Ministry of Service to Bereaved Families

MEMORIALS

Luis Gustavo Ravines
Clement Alexander Price

ADJOURNMENT