

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - WEDNESDAY, NOVEMBER 9, 2016

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4765 - Amend Chapter 5.70.250 of the Code of the City of Elizabeth entitled "Rent Control and Stabilization," specifically to extend the expiration date to December 31, 2018.
- ORD. NO. 4771 - A Capital Improvement Fund ordinance authorizing sidewalk and drainage improvements at City parks, buildings and right-of-ways in the amount of \$400,000.00.
- ORD. NO. 4772 - A Capital Improvement Fund ordinance authorizing the replacement of two (2) ambulances in the total amount of \$550,000.00.
- ORD. NO. 4773 - A bond ordinance in the amount of \$1,000,000.00 with a down payment of \$50,000.00, authorizing environmental engineering, compliance and remediation at various properties owned by the City.
- ORD. NO. 4774 - A bond ordinance in the amount of \$3,400,000.00 with a down payment of \$170,000.00, authorizing the replacement of self-contained breathing apparatus for the Fire Department as mandated by the Federal Government.
- ORD. NO. 4775 - An ordinance authorizing the execution of permanent Public Service Electric and Gas Company aerial utility easements near South Second Street, bounded by the Elizabeth River, necessary for the Bergen Linden Corridor Upgrade Project.
- ORD. NO. 4776 - An ordinance to establish Chapter 8.81 of the Code of the City of Elizabeth, entitled "Municipal Identification Card Program," for residents of the City of Elizabeth.
- ORD. NO. 4778 - Authorize the establishment of a personalized handicapped parking space for Margherita DiCosmo, 844 Second Avenue.

FISCAL YEAR 2017 BUDGET AMENDMENTS. (TO BE READ IN FULL.)

**FISCAL YEAR 2017 MUNICIPAL BUDGET IN THE AMOUNT OF \$250,305,155.65;
FISCAL YEAR 2017 SEWER UTILITY BUDGET IN THE AMOUNT OF \$26,000,000.00;
FISCAL YEAR 2017 CAPITAL BUDGET IN THE AMOUNT OF \$119,261,500.00.**

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 28, 2016, from the Business Administrator recommending the award of a contract to Cliffs Body Corporation, 130 Broad Avenue, Fairview, NJ, for the purchase of two (2) Monroe Plows to be installed on new refuse trucks in the amount of \$33,090.00. Which was received.

By the Clerk:

Letter dated October 28, 2016, from the Business Administrator advising that being satisfied that an emergency did exist, recommends the award of a contract to W.D. Snyder Company, 706 South Michigan Avenue, Kenilworth, NJ, for the immediate repair of the damaged portion of Elizabeth Police Headquarters in the amount of \$5,700.00. Which was received.

By the Clerk:

Letter dated October 28, 2016, from the Business Administrator requesting authorization for the proper City officials to participate in a State Contract with Pasack Data Services, LLC, 200 Central Avenue, Suite 100, Hawthorne, NJ, for the purchase of seven (7) Dell Latitude Rugged Tablets for the Police Department at a total cost of \$26,813.23. Which was received.

By the Clerk:

Letter dated October 31, 2016, from the Business Administrator recommending the award of a contract to Daved Fire Systems, Inc., 307 W. Pleasantview Avenue, Hackensack, NJ, for the purchase of Fire Alarm Service for various departments for the period of October 18, 2016 through October 7, 2018, at a cost not to exceed \$200,000.00. Which was received.

By the Clerk:

Letter dated October 31, 2016, from the Business Administrator recommending the award of a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, NJ, for purchasing, cleaning, installation, removal, repair and related services for above-ground fuel tanks for the Public Works Department for the period of October 18, 2016 through October 17, 2018 at a cost not to exceed \$200,000.00. Which was received.

By the Clerk:

Letter dated October 31, 2016, from the Business Administrator recommending to amend and replace Chapter 5.24 of the Code of the City of Elizabeth entitled: Barbershops, Beauty Salons/Shops and Nail Salons/Parlors. Which was received.

By the Clerk:

Letter dated October 31, 2016, from the Business Administrator recommending the award of a contract to One Source of New Jersey, LLC, 366 US Highway 22, Whitehouse, NJ, to purchase auto parts, nuts, bolts and electrical parts for heavy duty vehicles for various departments during the period of October 20, 2016 through October 20, 2018 at a cost not to exceed \$50,000.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 31, 2016, from the Business Administrator recommending the award of a contract to Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, NY, for the purchase of one hundred fifty (150) Sycamore and Pin Oak trees to be planted throughout the City in residential areas in connection with the Greening Union County Program at a total cost of \$44,940.00. Which was received.

By the Clerk:

Letter dated November 1, 2016, from the Business Administrator recommending to amend Chapter 5.100.020, Section D. Penalty, of the Code of the City of Elizabeth entitled: Certificate of Public Convenience and Necessity and Permit Required - Classification by Type of Permit and Certificate-Exception specifically, to revise the language to reflect the current fines recommended by the Municipal Court. Which was received.

By the Clerk:

Letter dated November 1, 2016, from the Business Administrator requesting authorization for the proper City officials to enter into and execute a Memorandum of Understanding between the City of Elizabeth Fire Department and the Federal Bureau of Investigation to employ efforts to deter, defeat and respond vigorously to all terrorist attacks on our territory and against our citizens or facilities. Which was received.

By the Clerk:

Letter dated November 1, 2016, from the Chief Financial Officer advising that temporary emergency appropriations for the 2017 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated November 1, 2016, from the Chief Financial Officer advising in compliance with the SFY 2016 Appropriations Act requires that your Honorable Body approve all payments related to accumulated/uncompensated absence benefits. Which was received.

By the Clerk:

Letter dated November 1, 2016, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a supplemental bond ordinance amending Ordinance No. 4510 adopted in the amount of \$5.5 million on November 12, 2014 to an amount of \$6.5 million providing for the construction of the Trumbull Street Flood Control Project. Which was received.

By the Clerk:

Letter dated October 24, 2016, from the Director of Health and Human Services recommending the continuation of the Memorandum of Agreement with New Jersey Youth Corps defining the contributions in materials, training, or in kind services committed to the City of Elizabeth as a worksite. Which was received.

By the Clerk:

Letter dated November 1, 2016, from the Director of Health and Human Services requesting permission to accept a donation in the amount of \$1,000.00 from Maddie's Fund, specifically to purchase cat cages for the Animal Shelter. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 1, 2016, from the Director of Health and Human Services requesting authorization for the proper City officials to execute a Memorandum of Understanding with Union Industrial Home Family Partners (UIH)/Operation Fatherhood and the City of Elizabeth Reentry Program to establish a collaborative partnership to create a Fatherhood Engagement Series. Which was received.

By the Clerk:

Letter dated October 20, 2016, from the Director of Planning and Community Development requesting authorization for the proper City officials to extend a contract to Prestige Environmental Inc., 220 Davidson Avenue, Suite 307, Somerset, NJ, to install and monitor the quality of groundwater wells for 661-663 South Broad Street at a cost not to exceed \$25,445.00. Which was received.

By the Clerk:

Letter dated October 20, 2016, from the Director of Planning and Community Development requesting to amend the resolution adopted May 10, 2016 designating Engel Gardens, LLC, as the redeveloper for 57-77 Murray Street to Grand at Murray, LLC, and to authorize the proper City officials to execute a Redevelopment Agreement with Grand at Murray, LLC. Which was received.

By the Clerk:

Letter dated October 26, 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 \$14,989.71. Which was received.

By the Clerk:

Letter dated October 26, 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 \$790.11. Which was received.

By the Clerk:

Letter dated October 31, 2016, from the Director of Public Works recommending the renewal of the contract with Regional Industries, LLC, 800 East Grand Street, Elizabeth, NJ for a one (1) year period commencing January 1, 2017 to December 31, 2017 at a cost of \$4,225,000.00 for the fifth year of the five (5) year contract. Which was received.

By the Clerk:

Letter dated October 18, 2016, from the Police Director requesting the establishment of handicapped parking spaces in front of the following premises: 447 Catherine Street, deletions: 801 Jersey Avenue, 313 Livingston Street, 1007 Lafayette Street. Which was received.

By the Clerk:

Letter dated October 25, 2016, from the Planning Board recommends the adoption of the Non-Condemnation Redevelopment Study of 1029-1061 Newark Avenue Study Area. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 24, 2016, from Engineering and Land Planning Associates, Inc. requesting to install three (3) monitoring wells in the Right-of-Way of 848-854 Elizabeth Avenue; 841-843 Elizabeth Avenue; 901 Elizabeth Avenue. Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

- ORD. NO. 4779 - An ordinance amending and superseding City of Elizabeth Land Development Code, Chapter 17, Section 17.52.100, entitled "Fees for Professional Services – Deposits with Municipality-Escrow-Interest."
- ORD. NO. 4780 - Amend Chapter 5.100.020, entitled "Certificate of Public Convenience and Necessity and Permit Required-Classification by Type of Permit and Certificate-Exception," specifically to revise the language to reflect current fines.
- ORD. NO. 4781 - An ordinance to amend and replace Chapter 5.24 of the Code of the City of Elizabeth to be entitled "Barbershops and Beauty Salons/Shops and Nail Salons/Parlors."
- ORD. NO. 4782 - Grant an environmental encroachment permit to Engineering and Land Planning Associates, Inc., to install three (3) monitoring wells in the public right-of-way of 848-854 Elizabeth Avenue; 841-843 Elizabeth Avenue and 901 Elizabeth Avenue.
- ORD. NO. 4783 - Amend Designation of Redeveloper from the Engel Gardens, LLC, to The Grand at Murray Street, LLC, 415 North Broad Street, Elizabeth, for 57-77 Murray Street, and Authorize the Execution of a Redevelopment Agreement with The Grand at Murray Street, LLC.
- ORD. NO. 4784 - Authorize the establishment of a personalized handicapped parking space for Laudemar Garcia, 321 Centre Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, NOVEMBER 22, 2016, AT 7:30 P.M.

- ORD. NO. 4785 - Amend Bond Ord. No. 4510, adopted November 12, 2014, providing for the construction of the Trumbull Street Flood Control Project in the amount of \$5,500,000.00, specifically to supplement said amount to \$6,500,000.00.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, DECEMBER 13, 2016, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4765 - Amend Chapter 5.70.250 of the Code of the City of Elizabeth entitled "Rent Control and Stabilization," specifically to extend the expiration date to December 31, 2018.
- ORD. NO. 4771 - A Capital Improvement Fund ordinance authorizing sidewalk and drainage improvements at City parks, buildings and right-of-ways in the amount of \$400,000.00.
- ORD. NO. 4772 - A Capital Improvement Fund ordinance authorizing the replacement of two (2) ambulances in the total amount of \$550,000.00.
- ORD. NO. 4773 - A bond ordinance in the amount of \$1,000,000.00 with a down payment of \$50,000.00, authorizing environmental engineering, compliance and remediation at various properties owned by the City.
- ORD. NO. 4774 - A bond ordinance in the amount of \$3,400,000.00 with a down payment of \$170,000.00, authorizing the replacement of self-contained breathing apparatus for the Fire Department as mandated by the Federal Government.
- ORD. NO. 4775 - An ordinance authorizing the execution of permanent Public Service Electric and Gas Company aerial utility easements near South Second Street, bounded by the Elizabeth River, necessary for the Bergen Linden Corridor Upgrade Project.
- ORD. NO. 4776 - An ordinance to establish Chapter 8.81 of the Code of the City of Elizabeth, entitled "Municipal Identification Card Program," for residents of the City of Elizabeth.
- ORD. NO. 4778 - Authorize the establishment of a personalized handicapped parking space for Margherita DiCosmo, 844 Second Avenue.

NEW BUSINESS

- Adopt the Fiscal Year 2017 Municipal Budget amendments.
- Authorize the City Clerk to read the Fiscal Year 2017 Municipal Budget by Title.
- Adopt the Fiscal Year 2017 Municipal Budget, as amended, in the amount of \$255,768,400.85; Fiscal Year 2017 Sewer Utility Budget in the amount of \$26,000,000.00; and Capital Budget in the amount of \$119,261,500.00.
- Authorize an amendment to the 2017 Fiscal Year Capital Budget in the amount of \$1,000,000.00.
- In compliance with SFY 2016 Appropriations Act (Best Practices Requirement), City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.
- Authorize the adoption of the redevelopment study for designating the area located at 1029-1061 Newark Avenue as a Non-Condemnation Redevelopment Area, as recommended by the Planning Board.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Cliffside Body Corporation, 130 Broad Avenue, Fairview, N.J., for the purchase of two (2) Monroe plows to be installed on new refuse trucks in the amount of \$33,090.00.

Authorize the proper City officials to participate in a state contract with Pascack Data Services, LLC, 200 Central Avenue, Hawthorne, N.J., for the purchase of seven (7) Dell Latitude Rugged Tablets for the Police Department, at a total cost of \$26,813.23.

Authorize the award of a contract to Daved Fire Systems, Inc., 307 West Pleasantview Avenue, Hackensack, N.J., for the purchase of Fire Alarm Service for various departments for the period October 18, 2016 through October 7, 2018, at a cost not to exceed \$200,000.00.

Authorize the award of a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, N.J., for above-ground fuel tanks, cleaning, installation, removal, repair and related services for the Department of Public Works for the period October 18, 2016 through October 17, 2018, at a cost not to exceed \$200,000.00.

Authorize the award of a contract to One Source of New Jersey, LLC., 366 U.S. Highway 22, Whitehouse, N.J., for purchase of auto parts and accessories for heavy duty vehicles for various departments, for the period October 20, 2016 thru October 20, 2018, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, N.Y., for the purchase of one hundred fifty (150) Sycamore and Pin Oak trees to be planted throughout the City in residential areas in connection with the Greening Union County Program, at a total cost of \$44,940.00.

Authorize the proper City officials to execute a Memorandum of Understanding between the Elizabeth Fire Department and the Federal Bureau of Investigation to deter, defeat and respond to all terrorist attacks.

Authorize the continuation of the Memorandum of Agreement with the New Jersey Youth Corps to define the services that the New Jersey Youth Corps commits to the City as a worksite.

Authorize the proper City officials to execute a Memorandum of Understanding with Union Industrial Home Family Partners/Operation Fatherhood and the City of Elizabeth Reentry Program to establish a collaborative partnership to create a Fatherhood Engagement Series.

Authorize the acceptance, as a donation of \$1,000.00, from Maddie's Fund, specifically to purchase cat cages for the Animal Shelter.

Authorize the award a contract to Prestige Environmental, Inc., 220 Davidson Avenue, Somerset, N.J., to install and monitor the quality of groundwater wells at 661-663 South Broad Street in an amount not to exceed \$25,445.00.

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 fifth year of the five year contract, commencing January 1, 2017 to December 31, 2017, in the amount of \$4,225,000.00, in accordance with the terms and schedule of prices submitted at the time of bid.

Reject the bid of \$8,500.00 received from Manuel Costa and Brian Acevedo at the public auction held on October 25, 2016 for City-owned property located at 118 Fulton Street.

NEW BUSINESS (Cont'd.)

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 \$790.11.

Establish liens for the removal and disposal of debris from said properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$14,989.71.

Establish a handicapped parking space in front of the premises located at 447 Catherine Street

Rescind a resolution adopted September 27, 2011, which established a handicapped parking space in front of the premises located at 321 Centre Street (now personalized).

Delete the following handicapped parking spaces from in front of the premises located at: 801 Jersey Avenue, 313 Livingston Street and 1007 Lafayette Street.

Pay Utility Bills.

COMMENDATIONS:

Madonna	(
Beulah McClinton Woody	(
Beverly Cotton	(
Edith C. Churchman	(
Kim Nesbitt Good	(
Sylvia Legrand Saxton	(
Yvonne Smith	(
Joy Fields	(
Crystal Anderson Singleton	(Garden State Funeral Directors Association
Betty Hill	(Honoring
Dana Hailstock	(African-American Female Funeral Directors
Rae Brown	(
Elizabeth T. Perry-Tisdale	(
Susan Judkins	(
Kadija Amatus Samad	(
Gail Cushnie Bell	(
Delores Cushnie	(
Virginia A. Perry	(
Diane Gentles	(
Allyson Cotton	(
Hawwah A. Karim	(

MEMORIALS:

Queen Esther Wallace
Tina Fountain
Robert T. Nitto,
Mrs. Roberta Van Kline

ADJOURNMENT