

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, MAY 11, 2021

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 5467 - An Ordinance to amend Section 10.40.070, of the Code of the City of Elizabeth, entitled "No Parking of Trucks - Portion Affected" specifically to add Catherine Street, both sides, between East Grand Street and Magnolia Avenue.

ORD. NO. 5469 - An Ordinance of the City of Elizabeth, in the County of Union, providing for the Lincoln Avenue Drainage Improvement Project and related expenses in and by the City of Elizabeth, appropriating \$3,600,000.00 therefor, and authorizing \$3,600,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.

ORD. NO. 5470 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for Sewer System Capital Repairs and appropriating \$12,000,000.00 therefor and authorizing the issuance of \$11,400,000.00 in Bonds or Notes of the City of Elizabeth to finance the cost thereof.

ORD. NO. 5471 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey appropriating \$300,000.00 for Environmental Engineering, Compliance and Remediation in and for the City of Elizabeth, in the County of Union, New Jersey.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:  
Letter dated April 27, 2021, from the Business Administrator recommending awarding a contract to Engine Land Inc., 155 Division Street, Elizabeth, NJ for the purchase of OEM parts and repairs for various departments for the period of April 14, 2021 through April 14, 2022 at a cost not to exceed \$150,000.00.  
Which was received.

By the Clerk:  
Letter dated April 27, 2021, from the Business Administrator recommending awarding a contract to Route 23 Automall, 1301 Route 23, Butler, NJ for the purchase of OEM parts and repairs for various departments for the period of April 14, 2021 through April 14, 2022 at a cost not to exceed \$50,000.00.  
Which was received.

By the Clerk:  
Letter dated April 27, 2021, from the Business Administrator recommending awarding a contract to DFFLM LLC, 215 Route 202/31, Flemington, NJ for the purchase of OEM parts and repairs for various departments for the period of April 14, 2021 through April 14, 2022 at a cost not to exceed \$50,000.00.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC. (Cont'd)**

By the Clerk:

Letter dated April 27, 2021, from the Business Administrator recommending awarding a contract to Timetrak Systems, Inc., 933 Pine Grove Avenue, Port Huron, MI for the furnishing of Time Clock Equipment Maintenance and Supplies for the period of April 15, 2021 through April 14, 2022 at a cost not to exceed \$25,000.00.  
Which was received.

By the Clerk:

Letter dated April 27, 2021, from the Business Administrator recommending awarding a contract to Pitney Bowes Inc., 27 Waterview Drive, Shelton, CT for the furnishing of Postage, Equipment Maintenance, and Postage Supplies for the period of April 15, 2021 through April 14, 2022 at a cost not to exceed \$300,000.00.  
Which was received.

By the Clerk:

Letter dated April 28, 2021, from the Business Administrator recommending awarding a contract to SHI International, Corp., 290 Davidson Avenue, Somerset, NJ for the purchase of one (1) replacement UPS at the Police Department and repairs to the existing UPS at the Police and Fire Departments in the total amount of \$45,661.60.  
Which was received.

By the Clerk:

Letter dated April 28, 2021, from the Business Administrator recommending awarding a contract to Sanitation Equipment Corp., 80 Furler Street, Totowa, NJ for the purchase of Parts, Bodies and Chassis for trucks for the Public Works Department for the period of April 28, 2021 through April 22, 2023 in the total amount not to exceed \$50,000.00.  
Which was received.

By the Clerk:

Letter dated April 29, 2021, from the Business Administrator recommending awarding a contract to Wireless Communications & Electronics, 153 Cooper Road, Berlin, NJ for computers for the Police and Fire Departments for the period of April 30, 2021 through April 30, 2022 at a cost not to exceed \$150,000.00.  
Which was received.

By the Clerk:

Letter dated April 29, 2021, from the Business Administrator recommending awarding 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 April 30, 2021 through April 30, 2022 at a cost not to exceed \$200,000.00.  
Which was received.

By the Clerk:

Letter dated April 29, 2021, from the Business Administrator request authorization for the proper City officials to renew participation and sign an agreement with the Morris County Cooperative Pricing Council, 502 Millbrook Avenue, Randolph, NJ for the purchase of goods and services for the period of October 1, 2021 through September 30, 2026 at a cost of \$1,100.00 per year.  
Which was received.

By the Clerk:

Letter dated April 30, 2021, from the Business Administrator request authorization to renew a policy of insurance with James River Insurance Group, P. O. Box 27648, Richmond, VA, through the agent-of-record, Hughes – Plumer Associates, covering professional liability for the Engineer and staff for the period of May 25, 2021 to May 25, 2022 at a premium of \$52,060.00.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC. (Cont'd)**

By the Clerk:

Letter dated April 30, 2021, from the City Attorney request that your Honorable Body consider authorizing the execution of an Agreement with Waste Management of New Jersey, Inc., 107 Silvia Street, Ewing, NJ for a Host Community Benefit; Waste Management owner and operator of two (2) waste transfer stations/material recovery facilities permitted by the New Jersey Department of Environmental Protection (NJDEP) and located within the City of Elizabeth on both Julia Street and Amboy Avenue, benefit payable to the City in the amount of \$1.57 for each ton of solid waste that is generated in New Jersey and \$3.13 for each ton of solid waste generate out-of-state; agreement has an escalation clause which provides for adjustments at the end of each year for a period of ten (10) years from the date of NJDEP approval.  
Which was received.

By the Clerk:

Letter dated April 30, 2021, from the City Attorney request authorizing the execution of an Easement Agreement with the Elizabeth Center Apartments Urban Renewal Corp. for Flood Control purposes and in connection with the Elizabeth River Trail Project – Phase 4, 735-821 Pearl Street.  
Which was received.

By the Clerk:

Letter dated May 4, 2021, from the Chief Financial Officer advising that additional grants may be appropriated in the 2021 SFY Budget by budget amendments (Chapter 159).  
Which was received.

By the Clerk:

Letter dated May 4, 2021, 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 May 4, 2021, from the Chief Financial Officer advising that transfers for the 2021 SFY Municipal and Sewer Utility Budgets may be necessary.  
Which was received.

By the Clerk:

Letter dated May 4, 2021, from the Chief Financial Officer request that your Honorable Body request the Director of the Division of Local Finance to make the following estimated changes in the 2021 Municipal Budget to account for the City's local share of grants (Chapter 159) approved subsequent to the adopted budget: Matching Funds – City's Share from \$748,187.75 to \$603,187.75; Local Share: Union County Infrastructure 2021 Local Share from – 0 - to \$145,000.00.  
Which was received.

By the Clerk:

Letter dated April 28, 2021, from the Director of Planning and Community Development request authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Deferred Payment Loan through the Owner Occupied Basic Program, for the rehabilitation of a one (1) unit house including new roof, weatherproof windows, repair bedroom walls, and dust wipes for the property located at 69 ½ Elizabeth Avenue not to exceed \$9,276.00.  
Which was received.

By the Clerk:

Letter dated April 29, 2021, from the Director of Planning and Community Development request authorization for the sale of a non-conforming City owned property located at 100-106 Cherry Street to be sold at auction to be held on June 9th, 2021 at 7:15 p.m. for abutting property owners with a minimum bid of \$100.00.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC. (Cont'd)**

By the Clerk:

Letter dated April 29, 2021, from the Director of Planning and Community

Development request authorization for the proper City officials to enter into a contract with Sara Fernandez, 406 Westminster Avenue, Elizabeth, NJ for a Mural Project on the side of the building of MJ Cruz Auto Repair on W. Mavrlag Place corridor connecting Route 1 & 9 South viaduct to the Elizabeth Avenue Commercial Corridor at no cost to the City.  
Which was received.

By the Clerk:

Letter dated April 29, 2021, from the Director of Planning and Community

Development request authorization for the proper City officials to enter into a contract with the property owner Union County Plate Glass Co., 1050 Elizabeth Avenue, Elizabeth, NJ for a Mural Project on the side wall facing W. Mavrlag Place corridor connecting Route 1 & 9 South viaduct to the Elizabeth Avenue Commercial Corridor at no cost to the City.  
Which was received.

By the Clerk:

Letter dated April 29, 2021, from the City Engineer, recommending the issuance of

an Encroachment Permit to O.A. Peterson Construction Co., Inc., 78 North Willow Street, P.O. Box 106, Montclair, NJ, on behalf of Trinitas Regional Medical Center, to install a temporary construction fence within the sidewalk area of the Pearl Street right-of-way of the parking garage.  
Which was received.

By the Clerk:

Letter dated April 30, 2021, from the Director of Public Works request to reject the bid

received on April 29, 2021 for preventive maintenance and emergency repair service for heating, air conditioning, and automatic temperature control systems at various public buildings owned by the City of Elizabeth; the sole bid received from Supreme Conditioning Systems, Inc. P.O. Box 206 Hazlet, NJ contained material defects therefore, their bid was not responsive and must be rejected and authorize the Director of Public Works to re-advertise for same.  
Which was received.

By the Clerk:

Letter dated April 21, 2021, from the Director of Recreation request authorization for

His Honor the Mayor to execute and sign the agreement with the Elizabeth Board of Education for the purpose of providing food vendor services from July 6, 2021 through August 26, 2021, at no cost to the City.  
Which was received.

By the Clerk:

Letter dated April 19, 2021, from the Police Director request to establish handicapped

parking spaces in front of the following properties: 25 Catherine Street, (personalized); 455 Marshall Street, (personalized); 214 Delaware Street; 480 Walnut Street; 121 Race Street (personalized); 729 Thomas Street (personalized); 328 1/2 Cherry Street (personalized); 1057 Anna Street (personalized) deletions: 722 Fay Avenue; 8 Lowden Street; 824 Kilsyth Road; 556 Grier Avenue; 205 Catherine Street; 225 Clark Place; 153 Port Avenue; 116 Washington Avenue; 917 McInain Street; 28 South 7th Street.  
Which was received.

**REPORTS OF CITY OFFICERS**

By the Clerk:

Letter dated April 26, 2021, from the City Treasurer submitting the City Treasurer's

Report of Receipts and Disbursements for the month of February 2021 and Statement of Bank Balances and Investments as of February 28, 2021.  
Which was received.

By the Clerk:

Minutes: Fair Rental Housing Board meetings held January 20, 2021 and March 17,

2021.

Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 5473 – An Ordinance granting an Encroachment Permit to O.A. Peterson Construction Co., Inc., 78 North Willow Street, P. O. Box 106, Montclair, N.J. for the installation of a temporary construction fence within the sidewalk area of the Pearl Street right-of-way for a period of approximately a month during the erection of a precast parking garage being constructed as part of the redevelopment of a portion of the Trinitas Regional Medical Center, 227 Williamson Street.

ORD. NO. 5474 – An Ordinance authorizing the City of Elizabeth to execute an Easement Agreement with Elizabeth Center Apartments Urban Renewal Corp., 809 Pearl Street, Elizabeth N.J. 07202 for Flood Control purposes and in connection with the Elizabeth River Trail Project - Phase 4, 735-821 Pearl Street, (Block 6, Lot 860).

ORD. NO. 5475 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Winston Guy, 1057 Anna Street, Elizabeth, New Jersey.

ORD. NO. 5476 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Gladys Fuentes, 25 Catherine Street, Elizabeth, New Jersey.

ORD. NO. 5477 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Allagracia Melo, 455 Marshall Street, Elizabeth, New Jersey.

ORD. NO. 5478 - An Ordinance to rescind Ordinance No. 4932, adopted on November 13, 2017, which authorized the establishment of a personalized handicapped parking space for Yoritza Carmona, 225 Clark Place, Fl. #2, Elizabeth, New Jersey.

ORD. NO. 5479 - An Ordinance to rescind Ordinance No. 5208, adopted on September 24, 2019, which authorized the establishment of a personalized handicapped parking space for Ninfa Cerpa, 824 Kiisyth Road, Elizabeth, New Jersey.

ORD. NO. 5480 - An Ordinance to rescind Ordinance No. 3555, adopted on October 14, 2003, which authorized the establishment of a personalized handicapped parking space for Lucy Vargas, 8 Lowden Street, Elizabeth, New Jersey.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING  
ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD  
TUESDAY, MAY 25, 2021 AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5467 - An Ordinance to amend Section 10.40.070, of the Code of the City of Elizabeth, entitled "No Parking of Trucks - Portion Affected" specifically to add Catherine Street, both sides, between East Grand Street and Magnolia Avenue.

ORD. NO. 5469 - An Ordinance of the City of Elizabeth, in the County of Union, providing for the Lincoln Avenue Drainage Improvement Project and related expenses in and by the City of Elizabeth, appropriating \$3,600,000.00 therefor, and authorizing \$3,600,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.

ORD. NO. 5470 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for Sewer System Capital Repairs and appropriating \$12,000,000.00 therefor and authorizing the issuance of \$11,400,000.00 in Bonds or Notes of the City of Elizabeth to finance the cost thereof.

**ORDINANCES ON FINAL PASSAGE (Cont'd.)**

ORD. NO. 5471 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey appropriating \$300,000.00 for Environmental Engineering, Compliance and Remediation in and for the City of Elizabeth, in the County of Union, New Jersey.

**NEW BUSINESS**

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, the Union County Infrastructure Grant – Ursino Drainage 2021, in the amount of \$145,000.00. (*Local Share - \$145,000.00*).

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, the New Jersey Department of Environmental Protection Recycling Tonnage Grant 2018, in the amount of \$70,016.27.

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

Authorize transfers for the Fiscal Year 2021 Municipal & Sewer Utility Budgets in the amount of \$2,029,214.00.

Authorize the proper City officials to submit a request to the Director, Division of Local Finance, to make corrections in the City's 2021 Fiscal Year Municipal Budget to account for Change of Title or Text of Appropriation approved subsequent to the adopted budget; Matching Funds-City's Share from \$748,187.75 to \$603,187.75; Local Share: Union County Infrastructure 2021 Ursino Drainage Local Share from -0- to \$145,000.00.

Authorize the award of a contract to Engine Land Inc., 155 Division Street, Elizabeth, N.J., for the purchase of OEM parts and repairs for various departments through the Somerset County Cooperative for the period April 14, 2021 through April 14, 2022, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to Route 23 Automall, 1301 Route 23, Butler, N.J., for the purchase of OEM parts and repairs for various departments through the Somerset County Cooperative for the period April 14, 2021 through April 14, 2022, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to DFFLM, LLC, 215 Route 202/31, Flemington, N.J., for the purchase of OEM parts and repairs for various departments through the Somerset County Cooperative for the period April 14, 2021 through April 14, 2022, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Timetrak Systems, Inc., 933 Pine Grove Avenue, Port Huron, MI, for the furnishing of time clock equipment, maintenance and supplies for the period April 15, 2021 through April 14, 2022, at a cost not to exceed \$25,000.00.

Authorize the award of a contract to Pitney Bowes Inc., 27 Waterview Drive, Shelton, CT, for the purchase of postage, equipment maintenance and Postage Supplies for the period April 15, 2021 through April 14, 2022, at a cost not to exceed \$300,000.00.

Authorize the award of a contract to SHI International, Corp. 290 Davidson Avenue, Somerset, N.J. for the purchase of one (1) replacement Uninterruptible Power Supply (UPS) at the Police Department and repairs to existing UPS at the Police and Fire Departments, through the Bergen County Co-Op, in the total amount of \$45,661.60.

Authorize the award of a contract to Sanitation Equipment Corp., 80 Furler Street, Totowa, N.J., for the purchase of parts, bodies and chassis for trucks for the Department of Public Works through the Educational Services Commission of NJ Co-Op for the period April 28, 2021 through April 22, 2023, at a cost not to exceed \$50,000.00.

**NEW BUSINESS (cont'd)**

Authorize the award of a contract to Wireless Communications & Electronics, 153 Cooper Road, Berlin, N.J., for the purchase of computers for the Police and Fire Departments for the period April 30, 2021 through April 30, 2022, at a cost not to exceed \$150,000.00.

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 April 30, 2021 through April 30, 2022, at a cost not to exceed \$200,000.00.

Authorize the proper City officials to participate sign an agreement with the Morris County Cooperative Pricing Council, 502 Millbrook Avenue, Randolph, N.J., to renew the City of Elizabeth's membership with the Morris County Cooperative Council for the period October 1, 2021 through September 30, 2026, at a cost of \$1,100.00 per year.

Authorize the award of a contract to James River Insurance Group, P. O. Box 27648, Richmond, Virginia through the agent-of-record, Hughes-Plumer Associates, covering professional liability insurance for the City Engineer and Staff for the period May 25, 2021 to May 25, 2022, at an annual premium of \$52,060.00.

Authorize the proper City officials to execute an agreement with Waste Management of New Jersey, Inc., for a Host Community Benefit payable to the City in the amount of \$1.57 for each ton of solid waste generated in New Jersey and \$3.13 for each ton of solid waste generated out-of-state with an escalation clause, for a period of ten (10) years from the date of New Jersey Department of Environmental Protection (NJDEP) approval.

Authorize the award of a contract to Dynamic Earth, LLC., 245 Main Street, Chester, N.J., to continue groundwater monitoring of residual petroleum on the property located at 865 Livingston Street (former NJ Transit Bus Garage,) in accordance with the requirements of the New Jersey Department of Environmental Protection (NJDEP) for an additional three rounds of testing and for quarterly conducted samplings if needed, at a cost not to exceed \$34,950.00 without further approval of City Council in accordance with a proposal from Dynamic Earth, LLC, dated March 26, 2021.

Authorize the proper City officials to execute any and all documents necessary and appropriate to provide an Owner-Occupied Basic Program, Deferred Payment Loan for the property located at 69 ½ Elizabeth Avenue, in the amount not to exceed \$9,276.00.

Authorize the sale at a private auction for adjoining property owners, non-conforming City-owned property not needed for public use, to be held on June 9, 2021, 7:15 p.m. in City Council Chambers for the following property, 100-106 Cherry Street.

Reject bid received April 29, 2021, submitted by Supreme Conditioning Systems, Inc., P. O. Box 206, Hazlet, N.J., in connection with the preventive maintenance (PM) and emergency repair service for heating, air conditioning and automatic temperature control systems at various public buildings owned by the City of Elizabeth and authorize the Director of Public Works to re-advertise for same.

Authorize the Mayor to execute an Agreement with the Elizabeth Board of Education for the purpose of providing food vendor services under the Summer Food Nutrition Program for the period July 6, 2021 through August 26, 2021, at no cost to the City.

Establish a handicapped parking space in front of the premises located 214 Delaware Street, #2.

Rescind resolution adopted March 22, 2011, which established a handicapped parking space in front of the premises located at 25 Catherine Street. (now personalized)

Rescind resolution adopted May 10, 2016, which established a handicapped parking space in front of the premises located at 455 Marshall Street. (now personalized)

**NEW BUSINESS (cont'd)**

Delete the following handicapped parking spaces from in front of the premises located at:  
722 Fay Avenue; 556 Grier Avenue; 205 Catherine Street; 153 Port Avenue, Fl.1;  
116 Washington Avenue; 917 McClain Street; 28 South 7<sup>TH</sup> Street.

Pay Utility Bills

**COMMENDATIONS:**

Humberto Leal

**MEMORIALS:**

Janice Caren Lilien  
Guillermo Rivera

**ADJOURNMENT**