

CITY COUNCIL - ELIZABETH, N. J.
REGULAR MEETING - TUESDAY, SEPTEMBER 26, 2023

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

PUBLIC HEARINGS

ORD. NO. 5892 – An Ordinance granting an Environmental Encroachment Permit to Talon Drilling Company, 100 Lexington Avenue, Trenton, N.J., to perform environmental investigation activities related to the proposed Baker Center Redevelopment site on Newark Avenue.

ORD. NO. 5893 – An Ordinance granting a right-of-way Encroachment Permit to Furino & Sons, Inc. Brothers Four, 66 Columbia Road, Branchburg, N.J., for the new PSE&G substation relocation – 1130 Chestnut Street.

ORD. NO. 5894 – An Ordinance granting an Environmental Encroachment Permit to Kleinfelder, 2 South Gold Drive, Suite A, Hamilton, N.J., to perform environmental assessment activities related to the former gasoline service station at 460 Elizabeth Avenue, well location at 451-453 Elizabeth Avenue.

ORD. NO. 5895 – An Ordinance to authorize the establishment of a personalized handicapped parking space for Beatriz Cruz, 211 Florida Street, Elizabeth, New Jersey.

ORD. NO. 5896 – An Ordinance to rescind Ordinance No. 5221, adopted on September 24, 2019, which authorized the establishment of a personalized handicapped parking space for Stephanie Torres, 43 Jaques Street, Elizabeth, New Jersey.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 7, 2023, from His Honor the Mayor subject to your advice and consent, I am making the following re-appointment of Richard Obuch, Judge of the Municipal Court, for a term of three (3) years effective October 1, 2023.
Which was received.

By the Clerk:

Letter dated September 11, 2023, from the Business Administrator recommending awarding a contract to Chana Zablocki, MD, Union Family Health, 845 Jerome Avenue, Hillside, NJ for the provision of a Pediatric Physician for Child/Health Immunization Clinic for the Department of Health and Human Services from the date of the award through June 30, 2024 at the rate of \$150.00 per hour not to exceed \$80,000.00.
Which was received.

By the Clerk:

Letter dated September 11, 2023, from the Business Administrator recommending awarding a contract to S&S Worldwide, 75 Mill Street, Colchester, CT for the purchase of arts, crafts and games for youth groups and senior citizens in various departments for the period of August 27, 2023 through August 30, 2024 at a cost not to exceed \$50,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 11, 2023, from the Business Administrator recommending awarding a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, NJ for cleaning, installation, removal, repair and related services for above ground fuel tanks for the Department of Public Works for the period of August 29, 2023 through August 28, 2024 at a cost not to exceed \$200,000.00.
Which was received.

By the Clerk:

Letter dated September 11, 2023, from the Business Administrator recommending awarding a contract to Hannon Floor Corp., 1119 Springfield Road, Union, NJ for the purchase of supply and installation of carpet and flooring for various departments for the period of July 1, 2023 through June 30, 2025 at a cost not to exceed \$300,000.00.
Which was received.

By the Clerk:

Letter dated September 12, 2023, from the Business Administrator recommending awarding a contract to Chana Zablocki, MD, Union Family Health, 845 Jerome Avenue Hillside, NJ for the provision of a Physician STD Clinic for the Department of Health and Human Services from the date of the award through June 30, 2024 at the rate of \$150.00 per hour not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated September 12, 2023, from the Business Administrator recommending awarding a contract to Sumros KP Tech LLC, 1431 Martine Avenue, Plainfield, NJ for the provision of a Medical Billing Consultant for the Department of Health and Human Services from the date of the award through June 30, 2024 at the rate of \$120.00 per hour not to exceed \$25,000.00.
Which was received.

By the Clerk:

Letter dated September 12, 2023, from the Business Administrator recommending awarding a contract to Comprehensive Medical Nutrition Solutions, 120 Farm Lane, Bound Brook, NJ for the provision of a Health Educator for the Department of Health and Human Services from the date of the award through June 30, 2024 at the rate of \$68.00 per hour not to exceed \$33,000.00.
Which was received.

By the Clerk:

Letter dated September 12, 2023, from the Business Administrator recommending awarding a contract to Anthony Tavormina, VIP Animal Hospital, 444 North Broad Street, Elizabeth, NJ for the provision of a Animal Control Program Veterinarian for the Department of Health and Human Services from the date of the award through June 30, 2024 at the rate of \$100 – \$200 per hour not to exceed \$30,000.00.
Which was received.

By the Clerk:

Letter dated September 13, 2023, from the Business Administrator request to amend Chapter 2.56.110(B), of the Code of the City of Elizabeth entitled Civilian Personnel, Table of Organization of the Elizabeth Police Department.
Which was received.

By the Clerk:

Letter dated September 13, 2023, from the Business Administrator request authorization for the proper City officials to execute documents from CivicPlus, LLC, 302 South 4th Street, Suite 500, Manhattan, KS for annual recurring services for professional website hosting and support for the period of one-year effective October 31, 2023 through October 30, 2024 in the amount of \$5,996.49.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 15, 2023, from the Business Administrator recommending awarding a contract to BP Retail Energy/EDF Energy Services 501 West Lake Park Blvd., Houston TX for Large Power and Lighting Service, at a rate of \$0.07045 per kilowatt hour and for General Lighting and Power accounts at a rate of \$0.07081 per kilowatt hour; each category will be contracted for a 15-month period beginning September 2023 through December 2024.
Which was received.

By the Clerk:

Letter dated September 15, 2023, from the Business Administrator recommending awarding a contract to Verizon Connect Fleet USA, LLC, 1095 Avenue of the America's, 8th Floor, New York, NY for proprietary hardware and software for the City fleet GPS management system in the Department of Administration from the date of this award for a term of one year in the amount not to exceed \$75,000.00 unless further awarded by City Council.
Which was received.

By the Clerk:

Letter dated September 15, 2023, from the Business Administrator request authorization for the proper City officials to execute and award a contract to Express Scripts, Inc., through the Level RX Coalition, One Express Way, St. Louis, MS for a Prescription Drug Program for the City of Elizabeth for a three (3) year period commencing December 1, 2023 through November 30, 2026; totally self-insured at an estimate of \$4,700,000.00.
Which was received.

By the Clerk:

Letter dated September 15, 2023, from the Business Administrator recommending awarding a contract to Clear Law Institute, LLC, 4601 Fairfax Drive, Suite 1200, Arlington, VA for the purchase of proprietary software for Harassment Prevention Training for the period of two (2) years from the date of the award in the amount of \$20,345.00.
Which was received.

By the Clerk:

Letter dated September 7, 2023, from the City Attorney request to repeal Chapter 12.36 of the Code of the City of Elizabeth, entitled "Parades," in its entirety.
Which was received.

By the Clerk:

Letter dated September 4, 2023, from the Chief Financial Officer request authorization for the Tax Collector to cancel/credit/refund an overbilling of taxes for the 2021 Tax Year in the amount of \$8,671.12; 2022 Tax Year in the amount of \$10,829.97, and for the 2023 Tax Year in the amount of \$11,212.07 due to the Tax Abatement being denied erroneously because of a discrepancy in owner provided information totaling \$30,713.16.
Which was received.

By the Clerk:

Letter dated September 19, 2023, 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 September 19, 2023, from the Chief Financial Officer advising that transfers for the 2023 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 19, 2023, from the Chief Financial Officer advising that temporary emergency appropriations for the 2024 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:

Letter dated September 19, 2023, from the Chief Financial Officer request that your Honorable Body consider the approval of a capital ordinance for an ambulance for an expenditure of \$400,000.00.
Which was received.

By the Clerk:

Letter dated September 14, 2023, from the Director of Planning and Community Development request to amend Chapter 5.100.220 of the Code of the City of Elizabeth entitled "Regulation Governing Rates of Fare.", specifically to increase the City's taxicab rates up to industry standards and to meet the rising inflation and costs of fuel, insurances, and car maintenance.
Which was received.

By the Clerk:

Letter dated September 18, 2023, from the Director of Planning and Community Development request that your Honorable Body consider a letter of support for Magill Real Estate Holdings, LLC's application to the NJ Department of Community Affairs Affordable Housing Trust Fund to develop two (2) properties: 823-827 East Jersey Street for a 10-unit affordable housing development in the amount of \$1,000,000.00 and a 3-unit affordable housing development at 179-185 First Street in the amount of \$500,000.00.
Which was received.

By the Clerk:

Letter dated September 13, 2023, from the Director of Public Works request permission to have a lien placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of \$4,879.70.
Which was received.

By the Clerk:

Letter dated September 15, 2023, from the Director of Public Works request authorization for the proper City officials to execute all documents necessary with DavEd Fire Systems, Inc., 307 West Pleasantview Avenue, Hackensack, NJ to establish central station monitoring and inspection / maintenance contracts for various Public Buildings for the period February 5, 2023 through February 4, 2025 at a cost not to exceed \$300,000.00
Which was received.

By the Clerk:

Letter dated September 15, 2023, from the Director of Public Works request approval of Contract Amendment No. 1 Final for the contract awarded to Joseph Jingoli & Son, Inc., 100 Lenox Drive, Suite 100, Lawrenceville, NJ to provide construction management services on a time and material basis in connection with the Police Headquarters Gun Range Upgrades not to exceed \$98,025.00 plus reimbursables, specifically to provide additional construction management services at a cost not to exceed \$10,535.00 for a total contract amount of \$108,560.00.
Which was received.

By the Clerk:

Letter dated September 15, 2023, from the Director of Public Works request authorization for the proper City officials to apply, accept and sign and or digitally sign all appropriate documents including reimbursement forms for the New Jersey Department of Transportation – 2024 SAFE Routes to School Program; with this anticipated funding, the Department of Public Works will replace the antiquated traffic light system at the intersection of Third Avenue and South Fifth Street for an amount not to exceed \$800,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 15, 2023, from the Director of Public Works recommending awarding a contract to CME Associates, 3141 Bordentown Avenue, Parlin, NJ, to provide Civil and Environmental Engineering On-Call Services on a time and material basis not to exceed \$150,000.00 plus reimbursables. Which was received.

By the Clerk:

Letter dated September 14, 2023, from GEI Consultants, Inc., 18000 Horizon Way, Suite 200, Mount Laurel, NJ, on behalf of Elizabethtown Gas, request site access to the City property located at Rear 200-334 Third Avenue to perform limited construction activities related to the former Elizabethtown Gas Manufactured Gas Plant. Which was received.

By the Clerk:

Letter dated September 11, 2023, from the YWCA Union County P.O. Box 462, Kenilworth, NJ request that your Honorable Body consider declaring the Month of October Domestic Violence Awareness Month with placing purple ribbons on parking meters along Morris Avenue, extending from Phil Rizzuto Park to the Elizabeth Train Station; the second designated location will be around City Hall. Which was received.

By the Clerk:

Letter dated September 13, 2023, from Grubhub, Chicago, IL, encouraging the City of Elizabeth to allow its temporary cap on the commissions that “third-party food delivery services” may charge restaurants for their services pursuant to Chapter 5.151.010 of the Code of the City of Elizabeth to expire. Which was received.

NONE.

REPORTS OF CITY OFFICERS

ORDINANCES ON FIRST READING

- ORD. NO. 5897 – An Ordinance to amend Section 5.100.220 of the Code of the City of Elizabeth, entitled “Regulation Governing Rates of Fare”.
- ORD. NO. 5898 – An Ordinance to amend Section 2.56.110 (B), entitled “Civilian Personnel”, of the Code of the City of Elizabeth, specifically relating to the Table of Organization of the Elizabeth Police Department.
- ORD. NO. 5899 – An Ordinance authorizing the City of Elizabeth to enter into a Site Access Agreement with Elizabethtown Gas, allowing GEI Consultants, Inc. Mount Laurel, N.J., site access to Rear 200-334 Third Avenue for limited construction activities.
- ORD. NO. 5900 – An Ordinance to Repeal Chapter 5.151 of the Code of the City of Elizabeth entitled, “Food Handling Establishments, Regulation of Delivery Fees”.
- ORD. NO. 5901 – An Ordinance to authorize the establishment of a personalized handicapped parking space for Ernesto Atoche, 314 John Street, Fl. 2, Elizabeth, New Jersey.
- ORD. NO. 5902 – An Ordinance to authorize the establishment of a personalized handicapped parking space for Marcela Villalbacamosdet, 137 Murray Street, Elizabeth, New Jersey.
- ORD. NO. 5904 – An Ordinance to authorize the establishment of a personalized handicapped parking space for Samuel Austin, 525 Court Street, Fl. 1 Rear, Elizabeth, New Jersey.

ORDINANCES ON FIRST READING (cont'd)

ORD. NO. 5905 – An Ordinance to authorize the establishment of a personalized handicapped parking space for Wilma Carrasco, 826 Jackson Avenue Elizabeth, New Jersey.

ORD. NO. 5906 – An Ordinance to authorize the establishment of a personalized handicapped parking space for Jose Nunez Peralta, 1015 Olive 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, OCTOBER 10, 2023 AT 7:30 P.M.

ORD. NO. 5903 – A Capital Improvement Fund Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$400,000.00 for the acquisition of an ambulance.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, OCTOBER 24, 2023, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5892 – An Ordinance granting an Environmental Encroachment Permit to Talon Drilling Company, 100 Lexington Avenue, Trenton, N.J., to perform environmental investigation activities related to the proposed Baker Center Redevelopment site on Newark Avenue.

ORD. NO. 5893 – An Ordinance granting a right-of-way Encroachment Permit to Furino & Sons, Inc. Brothers Four, 66 Columbia Road, Branchburg, N.J., for the new PSE&G substation relocation – 1130 Chestnut Street.

ORD. NO. 5894 – An Ordinance granting an Environmental Encroachment Permit to Kleinfelder, 2 South Gold Drive, Suite A, Hamilton, N.J., to perform environmental assessment activities related to the former gasoline service station at 460 Elizabeth Avenue, well location at 451-453 Elizabeth Avenue.

ORD. NO. 5895 – An Ordinance to authorize the establishment of a personalized handicapped parking space for Beatriz Cruz, 211 Florida Street, Elizabeth, New Jersey.

ORD. NO. 5896 – An Ordinance to rescind Ordinance No. 5221, adopted on September 24, 2019, which authorized the establishment of a personalized handicapped parking space for Stephanie Torres, 43 Jaques Street, Elizabeth, New Jersey.

NEW BUSINESS

Authorize transfers for the Fiscal Year 2023 Municipal & Sewer Utility Budgets in the amount of \$47,000.00.

Authorize Temporary Emergency Appropriations for the 2024 Fiscal Year Municipal and Sewer Utility Budgets, in the amount of \$710,924.00.

Authorize an amendment to the 2024 Fiscal Year Capital Budget in the amount of \$400,000.00.

Confirm the re-appointment of Richard Obuch to serve as a Judge of the Elizabeth Municipal Court for a term of three (3) years, effective October 1, 2023.

Authorize the award of a contract to Chana Zablocki, MD, Union Family Health, 845 Jerome Avenue, Hillside, N.J., to provide Pediatric Physician Services for Child/Health Immunization Clinic for the Department of Health and Human Services from the date of the award through June 30, 2024, at a rate of \$150.00 per hour, not to exceed \$80,000.00.

NEW BUSINESS (cont'd)

Authorize the award of a contract to S&S Worldwide, 75 Mill Street, Colchester, CT, for the purchase of Arts, Crafts and Games for Youth Groups and Senior Citizens for various departments for the period August 27, 2023 through August 30, 2024, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, N.J., for Cleaning, Installation, Removal, Repair and Related Services for Above-Ground Fuel Tanks for the Department of Public Works for the period August 29, 2023 through August 28, 2024, at a cost not to exceed \$200,000.00.

Authorize the award of a contract to Hannon Floor Corp., 1119 Springfield Road, Union, N.J., for the purchase of Supply and Installation of Carpet and Flooring for various departments for the period July 1, 2023 through June 30, 2025, at a cost not to exceed \$300,000.00.

Authorize the award of a contract to Chana Zablocki, MD, Union Family Health, 845 Jerome Avenue, Hillside, N.J., for the provision of a Physician for the Sexually Transmitted Disease Clinic for the Department of Health and Human Services from the date of the award through June 30, 2024, at the rate of \$150.00 per hour, not to exceed \$50,000.00.

Authorize the award of a contract to Comprehensive Medical Nutrition Solutions, 120 Farm Lane, Bound Brook, N.J., for the provision of a Health Educator for the Department of Health and Human Services from the date of the award through June 30, 2024, at the rate of \$68.00 per hour, not to exceed \$33,000.00.

Authorize the award of a contract to Anthony Tavormina, VIP Animal Hospital, 444 North Broad Street, Elizabeth, N.J., for Veterinarian Services for the Department of Health and Human Services Animal Control Program from the date of the award through June 30, 2024, at the rate of \$100 to \$200 per hour, in the amount not to exceed \$30,000.00.

Authorize the proper City Officials to execute documents from CivicPlus, LLC, 302 South 4th Street, Suite 500 Manhattan, KS, for annual recurring services for Professional Website Hosting and Support for the City of Elizabeth for the period of one (1) year effective October 31, 2023 through October 30, 2024, in the amount of \$5,996.49.

Authorize the City of Elizabeth's participation in the New Jersey Sustainable Energy Joint Meeting (NJSEJM) in awarding a contract to BP Retail Energy / EDF Energy Services, 501 West Lake Park Blvd., Houston, TX, for Large Power and Lighting Service (LPLS) at the rate of \$0.07045 per kilowatt hour and for General Lighting Power (GLP) at a rate of \$0.07081 per kilowatt hour, each category will be contracted for a 15-month period beginning September 2023 through December 2024.

Authorize the proper City Officials to execute all necessary documents to enter into a contract with Verizon Connect Fleet USA, LLC, 1095 Avenue of America's, 8th Floor, New York, N.Y., for proprietary hardware and software for the City Fleet GPS Management System in the Department of Administration from the date of this award for a term of one year, in an amount not to exceed \$75,000.00.

Authorize the proper City Officials to execute all necessary documents to enter into a contract with Express Scripts, Inc., through the Level Rx Coalition, One Express Way, St. Louis, MS, to provide a Prescription Drug Program for employees of the City of Elizabeth, for which the City of Elizabeth is self-insured at an estimated annual cost of \$4,700,000.00 for a three (3) year period commencing December 1, 2023 through November 30, 2026.

Authorize the proper City Officials to execute all necessary documents to enter into a contract with Clear Law Institute, LLC, 4601 Fairfax Drive, Suite 1200, Arlington, VA, for the purchase of proprietary software for Harassment Prevention Training for the period of two (2) years from the date of the award, in the amount of \$20,345.00.

NEW BUSINESS (cont'd)

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes on the property located at 400-416 Trumbull Street for the Tax Years 2021, 2022, and 2023, in the total amount of \$30,713.16.

Adopt a resolution of support for Magill Real Estate Holdings (MREH), LLC's, 802 East Jersey Street, Elizabeth, N.J., application to the New Jersey Department of Community Affairs Affordable Housing Trust Funds for the development of two properties: 10-unit affordable housing development at 823-827 East Jersey Street, in the amount of \$1,000,000.00 and for a 3-unit affordable housing development at 179-185 First Street, in the amount of \$500,000.00.

Authorize the proper City Officials to execute any documents/agreements necessary authorizing the award of a contract to DavEd Fire Systems (DavEd), Inc., 307 West Pleasantview Avenue, Hackensack, N.J. to provide fire alarm central station monitoring and inspection/maintenance for various public buildings through the Union County Cooperative Purchasing Contract for the period of February 5, 2023 through February 4, 2025, in the amount not to exceed \$300,000.00.

Authorize Contract Amendment No.1 – FINAL to the contract awarded to Joseph Jingoli & Son, Inc., 100 Lenox Drive, Suite 100, Lawrenceville, N.J., to provide construction management services in connection with the Police Headquarters Gun Range Upgrades not to exceed \$98,025.00 plus reimbursables, specifically due to additional time required to perform work not included in the original scope of work for an additional cost not to exceed \$10,535.00, raising the total contract amount to \$108,560.00.

Authorize the proper City officials to apply, accept and sign all appropriate documents including reimbursement forms for the execution of a grant agreement with the New Jersey Department of Transportation for the 2024 Safe Routes to School Program, with anticipated grant funds, the City of Elizabeth will replace the antiquated traffic light system at the intersection of Third Avenue and South Fifth Street, in an amount not to exceed \$800,000.00.

Authorize the award of a contract to CME Associates, 3141 Bordentown Avenue, Parlin, N.J., to provide Civil and Environmental Engineering On-call Services on a time and material basis, not to exceed \$150,000.00 plus reimbursables.

Declare the Month of October, Domestic Violence Awareness Month, granting permission to YWCA Union County, P. O. Box 462, Kenilworth, N.J., to place purple ribbons on parking meters along Morris Avenue, extending from Phil Rizzuto Park to the Elizabeth Train Station and around City Hall.

Pay Utility Bills

COMMENDATIONS:

Chief Giacomo Sacca

)Elizabeth Chapter of UNICO Citizen of the Year

MEMORIALS:

ADJOURNMENT