

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, OCTOBER 12, 2021

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 5534 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for the Elizabeth River Trail – Phase 6 Extension Project, and appropriating \$550,000.00 therefor, and providing for the issuance of \$550,000.00 in Bonds or Notes of the City to finance the same.
- ORD. NO. 5535 - A Sewer Utility Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for the South Second Street Drainage and Atlantic Street CSO Tank Project and related expenses in and by the City of Elizabeth appropriating \$15,500,000.00 therefor, and authorizing \$15,500,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 5547 - An Ordinance to waive building and construction fees for any work necessary to restore properties damaged by Tropical Storm Ida.
- ORD. NO. 5548 - An Ordinance to amend Chapter 5.44 of the Code of the City of Elizabeth, entitled "Garage Sales", specifically to establish Section 5.44.050 to allow City-Wide Garage Sales with waived permit requirements.
- ORD. NO. 5549 - An Ordinance to amend the Code of the City of Elizabeth to establish Chapter 3.54 entitled "Cannabis transfer and user taxes".
- ORD. NO. 5550 - An Ordinance to approve the Application and Financial Agreement for a PILOT with 250 Union Redevelopment Urban Renewal, LLC, collectively located at 237-260 Union Street and 48-54 Westfield Avenue. 250 Union Street (Block 6, Lot 157, 414, 415, 1703, 1706, 1708, 1709, 1710, 1773, 1774, 1775, & 1710.A) for new construction of a resort-style multi-family project consisting of 258 market-rate apartments, 3,172 sf of commercial/retail space, 280 parking spaces and amenities.
- ORD. NO. 5551 - An Ordinance granting an Encroachment Permit to AEE Real Estate Holdings, LLC, 633 Division Street, Elizabeth, N.J., to install a 5' 0" Long X 1' 0" Wide X 3' 0" tall monument sign within the public right-of-way at 615 Division Street.

**THE HISTORIC MIDTOWN ELIZABETH SPECIAL IMPROVEMENT DISTRICT
CALENDAR YEAR 2022 BUDGET IN THE AMOUNT OF \$315,357.00.**

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 27, 2021, from the Business Administrator request authorization for the proper City officials to apply, accept and sign all appropriate documents pertaining to the submission of a funding request to the State of New Jersey to purchase two (2) electric buses, which will be assigned to the City of Elizabeth's Department of Health and Human Services for an amount not to exceed \$486,000.00. Which was received.

By the Clerk:

Letter dated September 28, 2021, from the Business Administrator recommending awarding a contract to Louis Barbato Landscaping Inc., 1600 Railroad Avenue, Holbrook, NY for the purchase of Little Leaf Linden Trees and Root Guards to be planted throughout the City in residential areas at a total cost of \$64,800.00. Which was received.

By the Clerk:

Letter dated September 30, 2021, from the Business Administrator request authorization for the payment of a final premium adjustment as a result of an audit conducted by Regional Risk Managers LLC regarding the Excess Workers Compensation Insurance Policy covering the period of July 1, 2019 to July 1, 2020 with Safety National Casualty Corp, 1832 Schuetz Road, St. Louis, MO in the total sum of \$19,981.00. Which was received.

By the Clerk:

Letter dated September 30, 2021, from the Business Administrator recommending awarding a contract to Trius Inc., 5049 Industrial Road, Farmingdale, NJ for the purchase of two (2) new 16-foot Yard Dump Trucks with Plows and Liffgates as replacement vehicles for the Department of Public Works in the amount of \$143,188.62. Which was received.

By the Clerk:

Letter dated September 30, 2021, from the Business Administrator request authorization for the proper City officials to apply, accept and sign all appropriate documents pertaining to the submission of an application to the County of Union for Homeland Security funding to purchase one (1) barrier trailer kit as well as one traffic signboard kit, both of which will be assigned to the Elizabeth Police Department for an amount not to exceed \$130,000.00; with no match required. Which was received.

By the Clerk:

Letter dated October 1, 2021, from the Business Administrator recommending awarding a contract to Campbell Freightliner, LLC, 1015 Cranbury South River Road, South Brunswick, NJ for the purchase of a truck chassis for the two new 16-foot yard dump trucks replacing the Department of Public Works vehicles scheduled to be scrapped, in the total amount of \$169,075.30. Which was received.

By the Clerk:

Letter dated September 29, 2021, from the City Attorney request authorization for the proper City officials to execute an agreement between the City of Elizabeth and Joint Meeting of Essex and Union Counties (JMEUC) attached hereto for the Trenton Avenue Pump Station – increased conveyance from existing Trenton Avenue Pumping Station – Phase 1 upgrade: increase pumping with real time controls and existing pumps. Which was received.

By the Clerk:

Letter dated September 28, 2021, from the Chief Financial Officer request authorization for the Tax Collector to cancel/credit/refund an overbilling for the 2021 Tax Year on the property located at 805 Second Avenue due to the owner being a 100% Disabled Veteran who qualifies for a Tax Exemption in the amount of \$3,747.69. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 5, 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 October 5, 2021, from the Chief Financial Officer advising that temporary emergency appropriations for the 2022 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated October 5, 2021, from the Chief Financial Officer request that your Honorable Body consider a resolution of the City of Elizabeth, in the County of Union, New Jersey, determining the form and other details of its "Note relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank" to be issued in the principal amount of up to \$2,960,000.00 and providing for the issuance and sale of such note to the New Jersey Infrastructure Bank, and authorizing the execution and delivery of such note by the City of Elizabeth in favor of the New Jersey Infrastructure Bank, all pursuant to the New Jersey Infrastructure Bank Water Bank Construction Financing Program. Which was received.

By the Clerk:

Letter dated September 29, 2021, from the Director of Planning and Community Development request that your Honorable Body consider placing a tax lien against the property located at 1058 Anna Street for unpaid municipal charges for the partial demolition of said premises in the amount of \$3,250.00. Which was received.

By the Clerk:

Letter dated October 1, 2021, from the Director of Planning and Community Development request authorization for the proper City officials to rescind the resolution adopted September 14, 2021 authorizing a HOME Rental Project Deferred Payment Loan to 170-178 First Street Urban Renewal, LLC for new construction of twenty-four (24) affordable Senior units, eleven (11) of which will be Home Assisted units in the amount of \$1,000,000.00. Which was received.

By the Clerk:

Letter dated October 1, 2021, from the Director of Planning and Community Development request authorization for the proper City officials to execute all documents necessary and appropriate to provide grants for FY2021 CD-47, July 1, 2021 through June 30, 2022, Spending Plan for Community Development Block Grants as per the Schedule A attached hereto totaling \$1,663,073.00. Which was received.

By the Clerk:

Letter dated September 29, 2021, from the Director of Public Works request permission to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of \$1,366.93. Which was received.

By the Clerk:

Letter dated September 29, 2021, from the Director of Public Works request 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 \$2,796.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 30, 2021, from the Director of Public Works recommending awarding a contract to Slade Industries, Inc., 1101 Bristol Road, Mountainside, NJ for the modernization of two (2) City Hall elevators at a cost of \$555,916.00. Which was received.

By the Clerk:

Letter dated October 1, 2021, from the Director of Public Works recommending awarding a contract to USA Architects, Planners and Interior Designers, LTD, 20 North Doughty Avenue, Somerville, NJ to provide professional architectural services for the design and construction administration of the restoration and renovations to Fire Headquarters resulting from flood damage caused by Tropical Storm Ida at a lump sum cost not to exceed \$162,500.00 plus reimbursables; fees are potentially reimbursable by the Federal Emergency Management Agency (FEMA) at 75 percent of the final allowable costs. Which was received.

By the Clerk:

Letter dated September 24, 2021, from the Police Director request to establish handicapped parking spaces in front of the following premises: 227 Clark Place (name change); 306 Rosehill Place (personalized); 42 Jaques Street (personalized); 1073 Bond Street (personalized); 14 Steward Place (personalized); 331 Fulton Street (personalized); 449 Marshall Street (personalized); 708 South Park Street (personalized); 642 Jefferson Avenue (personalized); 1030 Sheridan Avenue (personalized); 136 Berwick Street (personalized) deletions: 607 Fulton Street; 42 Jaques Street; 138 Smith Street; 35 Niles Street; 925 Roosevelt Street. Which was received.

By the Clerk:

Letter dated September 22, 2021, Site Remediation Group, 486 Schooley's Mountain Road, Hackettstown, NJ request an Encroachment Permit to perform environmental work consisting of the installation of one (1) monitoring well within the right-of-way of Hayes Avenue as depicted on a plan entitled "Site Map, Former Rahway Service Station, 482 Rahway Avenue, Elizabeth, on file in the Municipal Engineer's Office. Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

- ORD. NO. 5553 - An Ordinance granting an Environmental Encroachment Permit to Site Remediation Group, LLC, 486 Schooley's Mountain Road, Hackettstown, N.J., for the installation of one (1) monitoring well for 482 Rahway Avenue, well located at Hayes Avenue Elizabeth, New Jersey.
- ORD. NO. 5554 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Jacqueline Ortiz, 77 Westfield Avenue, Elizabeth, New Jersey.
- ORD. NO. 5555 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Magdalena Vasquez, 306 Rosehill Place, Elizabeth, New Jersey.
- ORD. NO. 5556 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Maria Gutierrez Alarcon, 42 Jacques Street, Elizabeth, New Jersey.

ORDINANCES ON FIRST READING (cont'd)

- ORD. NO. 5557 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Ana Andujar, 1030 Sheridan Avenue, Elizabeth, New Jersey.
- ORD. NO. 5558 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Rose Carreto, 136 Berwick Street, Elizabeth, New Jersey.
- ORD. NO. 5559 - An Ordinance to rescind Ordinance No. 5436, adopted on February 23, 2021, which authorized the establishment of a personalized handicapped parking space for Maria Silva, 35 Niles 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 26, 2021 AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 5534 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for the Elizabeth River Trail – Phase 6 Extension Project, and appropriating \$550,000.00 therefor, and providing for the issuance of \$550,000.00 in Bonds or Notes of the City to finance the same.
- ORD. NO. 5535 - A Sewer Utility Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for the South Second Street Drainage and Atlantic Street CSO Tank Project and related expenses in and by the City of Elizabeth appropriating \$15,500,000.00 therefor, and authorizing \$15,500,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 5547 - An Ordinance to waive building and construction fees for any work necessary to restore properties damaged by Tropical Storm Ida.
- ORD. NO. 5548 - An Ordinance to amend Chapter 5.44 of the Code of the City of Elizabeth, entitled "Garage Sales", specifically to establish Section 5.44.050 to allow City-Wide Garage Sales with waived permit requirements.
- ORD. NO. 5549 - An Ordinance to amend the Code of the City of Elizabeth to establish Chapter 3.54 entitled "Cannabis transfer and user taxes".
- ORD. NO. 5550 - An Ordinance to approve the Application and Financial Agreement for a PILOT with 250 Union Redevelopment Urban Renewal, LLC, collectively located at 237-260 Union Street and 48-54 Westfield Avenue. 250 Union Street (Block 6, Lot 157, 414, 415, 1703, 1706, 1708, 1709, 1710, 1773, 1774, 1775, & 1710.A) for new construction of a resort-style multi-family project consisting of 258 market-rate apartments, 3,172 sf of commercial/retail space, 280 parking spaces and amenities.
- ORD. NO. 5551 - An Ordinance granting an Encroachment Permit to AEE Real Estate Holdings, LLC, 633 Division Street, Elizabeth, N.J., to install a 5' 0" Long X 1' 0" Wide X 3' 0" tall monument sign within the public right-of-way at 615 Division Street.

NEW BUSINESS

Adopt the Historic Midtown Elizabeth Special Improvement District Calendar Year 2022 Budget, in the amount of \$315,357.00.

Authorize Temporary Emergency Appropriations for the 2022 Fiscal Year Municipal and Sewer Utility Budgets, in the amount of \$128,125.00.

Authorize the proper City Official to apply, accept and sign all appropriate documents for funding of electric buses including the purchase of charging stations to the State of New Jersey, assigned to the City of Elizabeth's Department of Health and Human Services, for an amount not to exceed \$486,000.00.

Authorize the award of a contract to Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, N.Y., for the purchase of Little Leaf Linden trees and root guards to be planted in residential areas throughout the City, through the Union County Cooperative Purchasing, at a total cost of \$64,800.00.

Authorize the payment of a final premium adjustment for the Excess Workers' Compensation Insurance Policy with Safety National Casualty Corp., 1832 Schuetz Road, St. Louis, MO, audit conducted by Regional Risk Managers, LLC covering the period July 1, 2019 to June 30, 2020, in the total sum of \$19,981.00.

Authorize the award of a contract to Trius Inc., 5049 Industrial Road, Farmingdale, N.J., for the purchase of two (2) new 16' yard dump trucks with plows and liftgates as replacement vehicles for the Department of Public Works, through the Educational Services Commission of NJ Cooperative Pricing System, in the amount of \$143,188.62.

Authorize the proper City Officials to apply, accept and sign all appropriate documents for the Homeland Security Funding to the County of Union for the purchase of one barrier trailer kit and one traffic signboard kit assigned for the Police Department, for an amount not to exceed \$130,000.00.

Authorize the award of a contract to Campbell Freightliner, LLC, 1015 Cranbury South River Road, South Brunswick, N.J., for the purchase of truck chassis for the two (2) new 16' yard dump trucks replacing the DPW vehicles scheduled to be scrapped, through the Educational Services Commission of NJ Co-Op, in the total amount of \$169,075.30.

Authorize the proper City Officials to execute an Agreement between the City of Elizabeth and Joint Meeting of Essex and Union Counties (JMEUC) for the Trenton Avenue Pump Station – Increased Conveyance from Existing Trenton Avenue Pumping Station – Phase 1 Upgrade: Increase Pumping with Real Time Controls and Existing Pumps.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes on the property located at 805 Second Avenue for Tax Year 2021, in the total amount of \$3,747.69.

Adopt a resolution of the City of Elizabeth, in the County of Union, New Jersey, determining the form and other details of its "Note relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank", to be issued in the principal amount of up to \$2,960,000.00 and providing for the issuance and sale of such note to the New Jersey Infrastructure Bank and authorizing the execution and delivery of such note by the City of Elizabeth in favor of the New Jersey Infrastructure Bank, all pursuant to the New Jersey Infrastructure Bank Water Bank Construction Financing Program.

Authorize the imposition of a lien for the cost of the partial demolition of the structure located at 1058 Anna Street, Elizabeth, N.J., in the sum of \$3,250.00.

Authorize the proper City Officials to rescind the resolution adopted September 14, 2021, authorizing a HOME Rental Project Deferred Payment Loan to 170-178 First Street Urban Renewal, LLC for new construction of twenty-four (24) affordable Senior units, eleven (11) of which will be Home Assisted Units, in the amount of \$1,000,000.00.

NEW BUSINESS (cont'd)

Authorize the proper City officials to execute any and all documents necessary and appropriate to provide grants for FY2021 CD-47 Community Development Block Grant (CDBG) totaling \$1,663,073.00, to agencies listed on Schedule A on file in the City Clerk's Office, for the period July 1, 2021 through June 30, 2022.

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 \$1,366.93.

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 \$2,796.00.

Authorize the award of a contract to Slade Industries, Inc., 1101 Bristol Road, Mountainside, N.J., for the modernization of two (2) City Hall Elevators, in the amount of \$555,916.00.

Authorize the award of a contract to USA Architects, Planners and Interior Designers, LTD, 20 North Doughty Avenue, Somerville, N.J. to provide professional architectural services for the design and construction administration of the restoration and renovations to Fire Headquarters, 411 Irvington Avenue, resulting from flood damage caused by Tropical Storm Ida, at a lump sum cost not to exceed \$162,500.00 plus reimbursables.

Delete the following handicapped parking spaces from in front of the premises located at: 606 Fulton Street; 42 Jacques Street; 138 Smith Street; 224 Fulton Street; 925 Roosevelt Street.

Rescind resolution adopted June 25, 2002, which established a handicapped parking space in front of the premises located at 306 Rosehill Place. (now personalized)

Authorize settlement in the worker's compensation litigation matter of Johnson v. the City, in the total amount of \$11,254.50.

COMMENDATIONS:

Alan Alexander)Retirement
Donna Lowe Alexander)Retirement, Urban League of Union County, Inc.
Amerigroup	
La Receta de Abuela	
Edwin Gomez)Puerto Rican Alliance of Elizabeth
Camacho & Son Float) 2020-2021 Award Recipients
Gabriel Munoz	
Pastor Orlando Sanchez	
Margarita Valentin	
Mary Rivera	

MEMORIALS:

Manuel Gonzalez)Former Superintendent, Elizabeth Board of Education
Dennis Radacovsky)Former City of Elizabeth Employee
Salvatore Servidio	
Maria C. Silva	

ADJOURNMENT