

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, OCTOBER 26, 2021

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 5552 - An Ordinance authorizing a Guaranty of the City of Elizabeth, in the County of Union, New Jersey, securing payment of principal of and interest on certain bonds, notes or other obligations of the Parking Authority of the City of Elizabeth in an amount not to exceed \$17,000,000.00.
- 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.
- 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.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 14, 2021, from the Business Administrator request authorization for the proper City officials to issue a Fidelity Officials Bond covering Paul Lesniak, City Treasurer/Tax Collector with the Hartford Insurance Company, through agent-of-record, Hughes Plumer Associates, 20 West End Avenue, Somerville, NJ for the period of December 1, 2021 to December 1, 2022 at an annual premium of \$1,750.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 14, 2021, from the Business Administrator request authorizing the issuance of insurance covering City-Owned properties with The Chubb Group of Insurance Companies, through their agent-of-record Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, NJ for the period October 1, 2021 to October 1, 2022 at an annual premium of \$222,375.00; paid on a quarterly basis. Which was received.

By the Clerk:

Letter dated October 14, 2021, from the Business Administrator request authorization for the proper City officials to execute a contract with Western World Insurance Company, 300 Kimball Drive, Suite 500, Parsippany, NJ for insurance covering the City's foreclosed properties for the period of October 1, 2021 to October 1, 2022 at an annual premium of \$2,183.00. Which was received.

By the Clerk:

Letter dated October 14, 2021, from the Business Administrator request authorization for the proper City officials to enter into a Clinical Affiliation Agreement with Trinitas School of Nursing, 40 West Jersey Street, Elizabeth, NJ for Trinitas Nursing Students to administer vaccinations to City and Union County residents to help prevent the spread of the Corona Virus for the period of November 1, 2021 through October 31, 2022 at no cost to the City; students will be under direct supervision of a faculty member designated by the Nursing School to assist the City of Elizabeth Public Health Nurses administer vaccines. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Business Administrator request to adopt an ordinance to amend Chapter 5.88 of the Code of the City of Elizabeth entitled "Secondhand Dealers," and establish Section 5.88.031 entitled "Non-applicability to repurchased merchandise"; amending this chapter will benefit local merchants, the public and City residents. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Business Administrator recommending awarding a contract to Garden State Highway Products, Inc., 301 Riverside Drive, Millville, NJ for the purchase of traffic control signs, support hardware and safety devices for the period of September 28, 2021 through September 22,2022 not to exceed \$100,000.00. Which was received.

By the Clerk:

Letter dated October 15,2021, from the Business Administrator recommending awarding a contract to AT&T Mobility, One AT & T Way, Room 2C224E, Bedminster, NJ for the purchase of cellular phones and service for various departments for the period of September 1, 2021 to February 28, 2022 at a cost not to exceed \$40,000.00. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Business Administrator request to amend the resolution adopted on May 25, 2021 awarding a contract to SHI International Corp., Somerset, NJ for GovPilot Software for Civic Engagement Platform for the Department of Administration at a total cost of \$77,250.00 specifically, to reflect their new method of purchasing through the Bergen County Co-op Award. Which was received.

By the Clerk:

Letter dated October 19, 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 Elizabethtown Gas First Responders Program to purchase gas detection meters for the Elizabeth Fire Department in an amount not to exceed \$5,000.00; no match required. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 19, 2021, from the Business Administrator recommending awarding a contract to Route 23 Automall, 1301 Route 23 South, Butler, NJ for the purchase of three (3) 2021 Ford Escape Hybrid AWD vehicles for the Fire Prevention Bureau of the Elizabeth Fire Department at the total cost of \$88,308.00 as well as authorizing the emergency purchase and procurement of said vehicles and the proper City officials to execute any documents in connection with this purchase. Which was received.

By the Clerk:

Letter dated October 19, 2021, from the Business Administrator advising that being satisfied that an emergency exists, recommends the award of a contract to New Jersey Emergency Vehicles, PL Custom Company, 2201 Atlantic Avenue, Suite 2, Manasquan, NJ for the immediate purchase of one Demo Type I Classic Ambulance for the EMS Division of the Elizabeth Fire Department in the total amount of \$325,886.00. Which was received.

By the Clerk:

Letter dated October 19, 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 19, 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 19, 2021, from the Chief Financial Officer request a Special Conference to be held on November 3, 2021 at 7:15 p.m. for a 2022 SFY Budget Review. Which was received.

By the Clerk:

Letter dated October 12, 2021, from the Director of Planning Community Development request authorization for the Planning Board to reexamine the Seaport Industrial Center Redevelopment Plan to consider allowing the cultivation and manufacturing of Cannabis specifically for parcels 315-325 First Street; 28-36 and 43-59 Slater Drive; 61-63; 65-87 and 89-147 Atalanta Plaza. Which was received.

By the Clerk:

Letter dated October 14, 2021, from the Director of Planning and Community Development request to amend the resolution adopted on October 22, 2019 authorizing Home Rental Housing Program loans to E-Town Housing and Community Development Corporation, Elizabeth, NJ in connection with the project located 158-168 First Street, 200-206; 208-210; 212-214 Third Street, Elizabeth with Certificate No. 20-02276 which was voided specifically, to reflect the new certification breakdown of Certificate numbers in the amount of \$1,097,402.00. Which was received.

By the Clerk:

Letter dated October 14, 2021, from the Director of Planning and Community Development request that your Honorable Body approve Urban Enterprise Zone funding in the amount of \$41,008.00 for the Fiscal Year 2022 Commercial District Security Program to cover the actual cost incurred for funding the extra duty police patrols that were picked up in the various business districts throughout the City for the period of July 1, 2021 through August 31, 2021. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 15, 2021, from the Director of Planning and Community Development request authorizing a Home Rental Project Deferred Payment Mortgage Loan to the Housing Authority of the City of Elizabeth or a wholly owned subsidiary of the Housing Authority on the property located at 170-176 First Street for the new construction of twenty-four (24) affordable Senior units of which eleven (11) will be HOME assisted in the amount of \$1,000,000.00. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Director of Planning and Community Development request authorization for the subordination of the HOME Rental Housing Program Deferred Payment Loan for the property located at 136-142 First Street in the amount of \$930,000.00. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Director of Planning and Community Development request to amend the resolution adopted January 26, 2021 authorizing to execute any and all documents necessary and appropriate to provide grants for CARES Act, Community Development Block Grant as per Schedule A in the amount of \$1,571,366.00 specifically, to allow an extension to Jefferson Park Ministries to draw down the remaining funds from the \$76,040.00 allocated to December 31, 2021 due to the pandemic delaying activity. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Director of Planning and Community Development request to amend the resolution adopted August 25, 2020 authorizing an amendment to the resolution dated May 26, 2020, in order to acknowledge the Certificates of Availability of Funds and the Certifications of Extraordinary Unspecifiable Service specifically, to allow an extension to the Elizabeth Coalition to House the Homeless to draw down the remaining funds from the \$213,875.00 for Rental Assistance and from the \$8,000.00 for Administration allocated to October 31, 2021 due to the pandemic delaying activity. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Director of Planning and Community Development request to amend the resolution adopted January 26, 2021 authorizing execution of any and all documents necessary and appropriate to provide grants for CARES Act, Community Development Block Grant as per Schedule A in the amount of \$1,571,366.00 specifically, to allow an extension to The Elizabeth Coalition to House the Homeless to draw down the remaining funds from the \$50,000.00 allocated to December 31, 2021 due to the pandemic delaying activity. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Director of Planning and Community Development request to amend the resolution adopted March 23, 2021 authorizing the execution of Community Development Block Grant Funding awarded with the agencies shown on Schedule A in the amount of \$1,595,544.00 specifically, to allow an extension to Big Brothers Big Sisters to draw down the remaining funds from the \$18,500.00 allocated to December 31, 2021 due to the pandemic delaying activity. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 15, 2021, from the Director of Public Works recommending the award of a contract to Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, NJ to provide professional engineering services on a time and material basis in connection with the preparation of a Long Term Control Plan in response to Surface Water Renewal Permit Action (Year 6) as required by the New Jersey Pollution Discharge Elimination System Combined Sewer Overflow Permit as per their proposal dated June 10, 2015 at a cost not to exceed \$56,600.00 plus reimbursables. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Director of Public Works recommending awarding a contract to Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, NJ to provide professional engineering services on a time and material basis in connection with the Verona Avenue Pump Station Standby Power Generator Scoping Phase Services at a cost not to exceed \$48,100.00 plus reimbursables for the project. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Director of Public Works request authorization for the proper City officials to apply, accept, sign and or digitally sign all appropriate documents including reimbursement forms for the NJ Department of Transportation's Local Freight Impact Fund FY 2022; with this funding the City of Elizabeth anticipates the milling and resurfacing of approximately 4.6 miles of Atalanta Plaza, Jersey Gardens Boulevard West, Kapkowski Road, Veterans Memorial Drive, Papetti Plaza, Puleo Plaza, Slater Drive, and portions of First Street and Trumbull Street consisting of design, bidding and construction phases not to exceed \$4,000,000.00. Which was received.

By the Clerk:

Letter dated October 15, 2021, from the Director of Public Works request authorization for the proper City officials to enter into a Hold Harmless Agreement with Bondex Insurance Company, 30A Vreeland Road, Suite 120, Florham Park, NJ for the release of the final payment for the Fred Erleben Recreation Center Renovations in the amount of \$309,787.01. Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

- ORD. NO. 5560 - An Ordinance to amend Chapter 5.88 of the Code of the City of Elizabeth entitled "Secondhand Dealers," specifically to exempt merchants repurchasing and reselling merchandise that it or an affiliate had originally sold.
- ORD. NO. 5561 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Yanet Vargas, 331 Fulton Street, Elizabeth, New Jersey.
- ORD. NO. 5562 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Marcela Amaro, 449 Marshall Street, Elizabeth, New Jersey.
- ORD. NO. 5563 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Luis Reveron, 708 South Park Street, Elizabeth, New Jersey.

ORDINANCES ON FIRST READING (cont'd)

- ORD. NO. 5564 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Elvia Vasquez, 642 Jefferson Avenue, Elizabeth, New Jersey.
- ORD. NO. 5565 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Celeste Alves, 227 Clark Place, Elizabeth, New Jersey.
- ORD. NO. 5566 - An Ordinance to rescind Ordinance No. 4287, adopted on February 28, 2012, which authorized the establishment of a personalized handicapped parking space for Antonio Alves, 227 Clark Place, Elizabeth, New Jersey.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, NOVEMBER 9, 2021 AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 5552 - An Ordinance authorizing a Guaranty of the City of Elizabeth, in the County of Union, New Jersey, securing payment of principal of and interest on certain bonds, notes or other obligations of the Parking Authority of the City of Elizabeth in an amount not to exceed \$17,000,000.00.
- 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.
- 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.

NEW BUSINESS

Authorize Temporary Emergency Appropriations for the 2022 Fiscal Year Municipal and Sewer Utility Budgets, in the amount of \$6,200,000.00.

Authorize the proper City Officials to renew the policy of insurance with Hartford Insurance Company, Hartford, Connecticut, through the agent-of-record for a Fidelity Public Officials Bond for Paul Lesniak, Treasurer/Tax Collector, for the period December 1, 2021 through December 1, 2022, at a cost of \$1,750.00.

Authorize the award of a contract to Chubb Group of Insurance Companies, 12 Vreeland Road, Florham Park, New Jersey, through agent-of-record Otterstedt Agency, for property insurance covering City-owned properties for the period October 1, 2021 through October 1, 2022, at an annual premium of \$222,375.00.

Authorize the proper City officials to execute a contract with Western World Insurance Company, 300 Kimball Drive, Suite 500, Parsippany, N.J., through agent-of-record Otterstedt Agency, to provide property insurance covering the City's foreclosed properties, for the period October 1, 2021 to October 1, 2022, at an annual premium of \$2,183.00.

Authorize the proper City Officials to execute any documents in connection with Clinical Affiliation Agreement between Trinitas School of Nursing, 40 West Jersey Street, Elizabeth, N.J. and the City of Elizabeth Department of Health and Human Services for Trinitas Nursing Students to assist the City of Elizabeth Public Health Nurses to administer COVID-19 vaccinations to City and Union County residents for the period November 1, 2021 through October 31, 2022, at no cost to the City.

Authorizes the award of a contract to Garden State Highway Products Inc., 301 Riverside Drive, Millville, N.J., for the purchase of traffic control signs, support hardware and safety devices, through the Somerset County Co-Op for the period September 28, 2021 through September 22, 2022, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to AT&T Mobility, One AT&T Way, Room 2C224E, Bedminster, N.J., for the purchase of cellular phones and service for various departments for the period September 1, 2021 through February 28, 2022, at a cost not to exceed \$40,000.00.

Amend resolution adopted May 25, 2021 with SHI International Corp., 290 Davidson Avenue, Somerset, N.J., for the purchase of GovPilot Software for civic engagement platform for the Department of Administration for the period May 1, 2021 through April 30, 2022, at a total cost of \$77,250.00, to reflect their new method of purchasing through the Bergen County Co-op award contract CK04 19-34 NJ Cooperative Purchasing Alliance.

Authorize the proper City Officials to apply accept and sign all appropriate documents pertaining to the submission of a funding request to the Elizabethtown Gas First Responders Program, for the purchase of gas detection meters for the Elizabeth Fire Department, in an amount not to exceed \$5,000.00.

Authorize the award of a contract to Route 23 Automall, 1301 Route 23 South, Butler, N.J., for the purchase of three (3) 2021 Ford Escape Hybrid AWD vehicles for the Fire Prevention Bureau of the Elizabeth Fire Department, due to the loss of multiple vehicles during Hurricane Ida, through the Morris County Co-Op, at a total cost of \$88,308.00.

Authorize the immediate purchase with New Jersey Emergency Vehicles, a PL Custom Company, 2201 Atlantic Avenue, Suite 2, Manasquan, N.J. for the emergency purchase of one (1) Demo Type I Classic Ambulance for the EMS Division of the Elizabeth Fire Department, in the total amount of \$325,886.00.

NEW BUSINESS (cont'd)

Authorize the Planning Board of the City of Elizabeth to re-examine the Seaport Redevelopment Plan to consider allowing the cultivation and manufacturing of cannabis, specifically for parcels 315-325 First Street; 28-36 Slater Drive; 43-59 Slater Drive; and 61-63 Ati; 65-87 Atalanta Plaza and 89-147 Atalanta Plaza.

Authorize the proper City Officials to utilize Urban Enterprise Zone (UEZ) Assistance Funds for the Fiscal Year 2022 Commercial District Security Program (July 1, 2021 through August 31, 2021) covering the cost incurred for funding extra duty police patrols that were picked up in the various business districts throughout the City during July and August, in the amount of \$41,008.00.

Authorize the proper City Officials to execute any and all documents necessary and appropriate to provide a Home Rental Project Deferred Payment Mortgage Loan to the Housing Authority of the City of Elizabeth (HACE) or a wholly owned subsidiary of HACE on the property located at 170-176 First Street, N.J., for the new construction of (24) affordable Senior units (11) of which will be Home Assisted units, in an amount not to exceed \$1,000,000.00.

Authorize the proper City Officials to execute any and all documents necessary and appropriate to subordinate the City's Elizabeth Home Improvement Program (EHIP) Mortgage Loan to the proposed \$930,000.00 mortgage on the property located at 136-142 First Street, A.K.A. 101 Broadway, Elizabeth, New Jersey.

Amend resolution adopted January 26, 2021, authorizing an agreement between the City of Elizabeth and the Jefferson Park Ministries and the City of Elizabeth and the Elizabeth Coalition (CARES ACT CDBG-CV3) with a contract end period of March 31, 2021, specifically for an extension of time to draw the remaining funds allocated to assist the City of Elizabeth low/moderate residents with rental assistance, extending the contract end period to December 31, 2021, due to the pandemic delaying the activity.

Amend resolution adopted August 25, 2020, authorizing an agreement between the City of Elizabeth and the Elizabeth Coalition (CARES ACT CDBGCV) with a contract end period of May 31, 2021, specifically for an extension of time to draw the remaining funds allocated to assist City of Elizabeth low/moderate residents with rental assistance, extending the contract end period to October 31, 2021, due to the pandemic delaying the activity.

Amend resolution adopted March 23, 2021, authorizing an agreement between the City of Elizabeth and Big Brothers and Sisters (CD-46) with a contract end period of June 30, 2021, specifically for an extension of time to draw the remaining funds allocated to assist City of Elizabeth low/moderate residents with rental assistance, extending the contract end period to December 31, 2021, due to the pandemic delaying the activity.

Authorize the award of a contract to Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, N.J., to provide professional engineering services on a time and material basis in connection with the preparation of a Long-Term Control Plan in response to Surface Water Renewal Permit Action (Year 6), as required by the New Jersey Pollution Discharge Elimination System (NJPDES) Combined Sewer Overflow (CSO) Permit as per their proposal dated June 10, 2015, at a cost not to exceed \$56,600.00 plus reimbursables.

Authorize the award of a contract to Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, N.J., to provide professional engineering services on a time and material basis in connection with the Verona Avenue Pump Station Standby Power Generator scoping phase services, at a cost not to exceed \$48,100.00 plus reimbursables for the project.

Authorize the proper City Officials to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation's (NJDOT) for the milling and resurfacing of Atalanta Plaza, Jersey Gardens Boulevard West, Kapkowski Road, Veterans Memorial Drive, Papetti Plaza, Puleo Plaza, Slater Drive and portions of First Street and Trumbull Street for the Local Freight Impact Fund 2022, for an amount not to exceed \$4,000,000.00.

NEW BUSINESS (cont'd)

Authorize the proper City Officials to enter into a Hold Harmless Agreement with Bondex Insurance Company, 30A Vreeland Road, Suite 120, Florham Park, N.J. for the release of the final payment of the Fred Erleben Recreation Center Renovations, in the amount of \$309,787.01.

Rescind resolution adopted November 13, 2017, which established a handicapped parking space in front of the premises located at 642 Jefferson Avenue. (now personalized)

Authorize the settlement in the litigation matter of Hartwell vs. the City of Elizabeth, in the total amount of \$85,000.00.

Pay Utility Bills

Approve Bingo and Raffle Licenses

COMMENDATIONS:

MEMORIALS:

ADJOURNMENT