

**CITY COUNCIL - ELIZABETH, N. J.**

**REGULAR MEETING - TUESDAY, FEBRUARY 14, 2006**

**AGENDA**

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

APPROVAL OF MINUTES: Regular Meeting, November 22, 2005;  
Regular Meeting, December 13, 2005

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

**PUBLIC HEARINGS**

- ORD. NO. 3786 - Grant an encroachment permit to Envar Services, Inc., 505 Milltown Road, North Brunswick, N.J., on behalf of 11 Broad, LLC., for environmental work within the public right-of-way of 1169-1171 Elizabeth Avenue.
- ORD. NO. 3787 - Amend Ordinance No. 3753, adopted September 13, 2005, which provided for the purchase and/or condemnation of property on Trumbull Street for an emergency response facility to be built, to add the additional adjoining property to be acquired and to add the amended appraisal amount of \$572,000.00.
- ORD. NO. 3788 - Authorize the establishment of a personalized handicapped parking space for Barbara A. Wright, 736 Eugenia Place.
- ORD. NO. 3789 - Authorize the establishment of a personalized handicapped parking space for Digna E. Manjarres, 450 Third Avenue.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated January 18, 2006, from His Honor The Mayor advising that he is appointing Ms. Charlotte V. Brown, 548 Walnut Street, Elizabeth, to serve as Alternate #2 of the Planning Board for a two year term.  
Which was received.

By the Clerk:

Letter dated February 7, 2006, from the Chief Financial Officer advising that there may be a need to amend the Fiscal Year 2006 Municipal Budget to insert, as Items of Revenue, various grants received.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated February 7, 2006, from the Chief Financial Officer recommending that the City Council request that the Director of the Division of Local Finance make changes in the Fiscal Year 2006 Municipal Budget to account for the City's local share of grants approved subsequent to the adopted budget.

Which was received.

By the Clerk:

Letter dated February 7, 2006, from the Chief Financial Officer requesting authorization to renew a policy of insurance covering Public Officials and Employees Liability with Admiral Insurance Company, 1255 Caldwell Road, Cherry Hill, N.J., through the agent of record, Hughes-Plumer and Associates, for the period January 1, 2006 to January 1, 2007, at a cost of \$86,498.69.

Which was received.

By the Clerk:

Letter dated January 31, 2006, from the Chief Financial Officer recommending that the City of Elizabeth participate in the County of Union Cooperative Pricing System for the purchases of work, services, materials and supplies.

Which was received.

By the Clerk:

Letter dated February 7, 2006, from the Chief Financial Officer recommending the renewal of a policy of insurance with Fidelity and Deposit Company of Maryland, a member of the Zurich Financial Services Group, 1400 American Lane, Schaumburg, IL., to provide a Fidelity Blanket Bond for public employees, for the period January 1, 2006 to January 1, 2007, at a cost of \$4,069.00.

Which was received.

By the Clerk:

Letter dated January 26, 2006, from the Chief Financial Officer recommending the award of a contract to Warnock Sales, Inc., 175 Route 10, East Hanover, N.J., for the purchase of six (6) vehicles for the Department of Health and Human Services, at a total cost of \$81,762.00.

Which was received.

By the Clerk:

Letter dated January 26, 2006, from the Chief Financial Officer recommending the award of a contract to International Salt Company, LLC., P.O. Box 641944, Pittsburgh, PA., for the purchase of rock salt at a cost not to exceed \$286,160.00.

Which was received.

By the Clerk:

Letter dated January 26, 2006, from the Chief Financial Officer recommending the award of a contract to Winner Ford of Cherry Hill, 250 Haddonfield-Berlin Road, Cherry Hill, N.J., for the purchase of one (1) 2006 Ford Police Interceptor for the Fire Department, at a cost of \$20,840.13.

Which was received.

By the Clerk:

Letter dated January 26, 2006, from the Chief Financial Officer requesting an amendment to the contract awarded to American Hose and Hydraulics Company, 489 Henry Street, Elizabeth, N.J., for the purchase of hydraulic and miscellaneous truck parts, to reflect an extension of the contract to August 31, 2006, in an amount not to exceed \$75,000.00, an increase of an additional \$40,000.00.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated February 2, 2006, from the Chief Financial Officer requesting a waiver of the residency requirement for Emergency Medical Technician Dena Slizewicz for a one-year period.

Which was received.

By the Clerk:

Letter dated February 3, 2006, from the Chief Financial Officer recommending the award of a contract to Ray's Sport Shop, Inc., 559 Highway #22, North Plainfield, N.J., for the purchase of protective vests, helmets, ammunition, and various other crime-prevention equipment and supplies for the Police Department and Ambulance Service Bureau, for the period February 3, 2006 to October 6, 2006, at a cost not to exceed \$86,000.00.

Which was received.

By the Clerk:

Letter dated February 6, 2006, from the Chief Financial Officer recommending the award of a contract to Synatech, Inc., 27 East Main Street, Little Falls, N.J., for the furnishing of Lead Hazard Reduction for EHIP, at a cost not to exceed \$203,900.00.

Which was referred to Council As A Whole.

By the Clerk:

Letter dated February 7, 2006, from the Chief Financial Officer requesting authorization for the preparation and submission of an application to the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for a loan from the New Jersey Environmental Infrastructure Trust Financing Program to finance various City sewer projects at an interest rate less than one-half that of regular financing, thus generating a significant savings.

Which was received.

By the Clerk:

Letter dated February 7, 2006, from the Chief Financial Officer requesting authorization to submit an application to the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for a loan to finance the capital assessments due from the City to the Joint Meeting of Essex and Union Counties at an interest rate less than one-half that of regular financing, thus generating a significant savings.

Which was received.

By the Clerk:

Letter dated February 2, 2006, from the Second Assistant City Attorney requesting an extension to close title by Atlantic Properties to on or before March 31, 2006, on the property located at 313-315 Atlantic Street, which was purchased from the City at a public auction held May 10, 2005.

Which was received.

By the Clerk:

Letter dated February 2, 2006, from the Second Assistant City Attorney requesting authorization for the transfer of property from Antonio Grelichia to Arminda Grelichia (wife) located at 706-708 Monroe Avenue, which was purchased from the City at a public auction held May 10, 2005.

Which was received.

By the Clerk:

Letter dated January 23, 2006, from the Director of Planning and Community Development requesting authorization to execute a CDBG contract with Community Coordinated Child Care of Union County, Inc., 225 Long Avenue, Hillside, N.J., to provide funds in the amount of \$4,600.00 to administer their CPS Family Child Care Network for the period January 1, 2006 to December 31, 2006.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated January 23, 2006, from the Director of Planning and Community Development requesting authorization to execute a CDBG contract with the American Red Cross, Tri-County Chapter, 16 Jefferson Avenue, Elizabeth, N.J., to provide funds in the amount of \$9,000.00 for immediate shelter, food, clothing and medical care for low and moderate income residents of the City who have been victims of a disaster, for the period July 1, 2005 to June 30, 2006.

Which was received.

By the Clerk:

Letter dated January 23, 2006, from the Director of Planning and Community Development requesting authorization to execute a CDBG contract with the Occupational Center of Union County, Inc., 301 Cox Street, Roselle, N.J., to provide funds in the amount of \$3,500.00 to administer the agency's Sheltered Employment Service, for the period January 1, 2006 to December 31, 2006.

Which was received.

By the Clerk:

Letter dated January 4, 2006, from the Director of Planning and Community Development requesting the discharge of a second mortgage held by the City on the property located at 85 Dayton Street and further authorize the cancellation of the Affordability Agreement.

Which was received.

By the Clerk:

Letter dated February 6, 2006, from the Director of Planning and Community Development requesting authorization to execute a Deferred Payment Loan agreement with Porthaus Renewal, LLC., 230 Halsted Road, Elizabeth for the acquisition of a six (6) unit apartment building located at 266-268 Second Street, in the amount of \$255,000.00.

Which was received.

By the Clerk:

Letter dated January 26, 2006, from the Director of Planning and Community Development requesting the discharge of a second mortgage held by the City on the property located at 319 Fulton Street and further authorize the cancellation of the Affordability Agreement.

Which was received.

By the Clerk:

Letter dated January 24, 2006, from the Director of Planning and Community Development requesting authorization to execute a lease agreement with Elizabeth Metro Mall, LLC., for the space occupied by the Retail Skills Center at the Jersey Gardens Mall for a period of five (5) years, commencing July 1, 2006.

Which was received.

By the Clerk:

Letter dated January 25, 2006, from the Director of Planning and Community Development requesting authorization for the proper City officials to prepare and submit to the U. S. Department of Housing and Urban Development a Consolidated Plan for Fiscal Year 2006 for funding for Community Development Block Grants, HOME Program funds and Emergency Shelter Grant funds.

Which was received.

By the Clerk:

Letter dated February 6, 2006, from the Director of Planning and Community Development requesting authorization to submit an application to the New Jersey Department of Community Affairs for a Smart Future Grant in the amount of \$75,000.00 to develop a conceptual Open Space Plan for the Midtown Redevelopment Area.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated January 26, 2006, from the Director of Public Works requesting the establishment of a lien on the property located at 330 Magnolia Avenue in order to reimburse the City for the removal and disposal of debris from said property in the amount of \$1,130.65. Which was received.

By the Clerk:

Letter dated January 26, 2006, from the Director of Public Works recommending that the City Council reject the sole bid received on October 25, 2005, for the furnishing of electrical maintenance and emergency repair service of various City-owned public buildings and authorize the Department of Public Works to readvertise for same. Which was received.

By the Clerk:

Letter dated January 31, 2006, from the Director of Public Works requesting permission to grant Magill Property Management and Real Estate Development, 819- 821 East Jersey Street, Elizabeth, access the rear of his property, through City-owned property located at 823-827 East Jersey Street, for the removal of an existing oil tank and construction debris. Which was received.

By the Clerk:

Letter dated February 2, 2006, from the Director of Public Works requesting authorization to enter into an Interlocal Services Agreement with the City of Linden for the resurfacing and improvement of Allen Street and to reimburse the City of Linden for one-half of the cost in an amount not to exceed \$45,000.00. Which was received.

By the Clerk:

Letter dated January 25, 2006, from the Director of Public Works requesting Change Order #8 and #9 to the contract awarded to Penn Bower, Inc., 132 West Main Street, High Bridge, N.J., which provides for the rehabilitation of the Combined Sewer System at an original cost of \$517,786.74, to provide further for additional labor and material at an additional cost of \$9,386.88, which combined with previous Change Orders, raises the contract cost to \$588,109.07. Which was received.

By the Clerk:

Letter dated January 26, 2006, from the Director of Health and Human Services requesting the acceptance of a grant award in the amount of \$20,000.00 for salaries at the Elizabethport Community Health Center to provide TB Reactor services to all residents of Union County. Which was received.

By the Clerk:

Letter dated January 30, 2006, from the Director of Police recommending the establishment of handicapped parking spaces at: 410 Livingston Street; 33 Jacques Street; 42 Grove Street; 917 McClain Street; 150 Jacques Street and the deletion of existing handicapped parking spaces at 504 First Avenue and 320 John Street. Which was received.

By the Clerk:

Letter dated February 1, 2006, from the Director of Police recommending the approval to accept a State of New Jersey FY 2005 Buffer Zone Protection Reimbursement Grant in the amount of \$51,235.00. Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated February 3, 2006, from the Director of Police requesting authorization to apply, accept and sign all appropriate documents for the New Jersey Department of Highway Traffic Safety, State and Community Highway Project Grant in the amount not to exceed \$1,000,000.00.

Which was received.

By the Clerk:

Letter dated February 6, 2006, from the Director of Police requesting authorization for the New Jersey Department of Transportation to utilize Elizabeth police officers as Traffic Directors and marked police vehicles in conjunction with the Route 82 (Morris Avenue) Streetscape and Intersection Improvement Project.

Which was received.

By the Clerk:

Letter dated February 2, 2006, from the Elizabeth Planning Board requesting an amendment to the Code of the City of Elizabeth, entitled "Land Development Control," specifically regarding Section 17.36.160, IE, C-5, a Special Commercial Zone II, and Section 17.40.010, Off-Street Parking Regulations.

Which was referred to Council As A Whole.

**REPORTS OF CITY OFFICERS**

By the Clerk:

Letter dated February 14, 2006, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, February 10, 2006.

Which was received.

By the Clerk:

Letters dated January 10, 2006 and January 31, 2006, from the Chief Financial Officer submitting the City Treasurer's report of receipts and disbursements for the months of September, 2005 and October, 2005, and statements of bank balances and investments as of September 30, 2005 and October 31, 2005.

Which was received.

By the Clerk:

Minutes: Zoning Board of Adjustment meeting held January 12, 2006 and February 16, 2006.

Which was received.

**ORDINANCES ON FIRST READING**

- ORD. NO. 3796 - Authorize the proper City officials to enter into a lease agreement with Elizabeth Metro Mall, LLC., for the space allocated to the Retail Skill Center at the Jersey Gardens Mall for five (5) year period, commencing July 1, 2006.
- ORD. NO. 3797 - Authorize the establishment of a personalized handicapped parking space for Maria M. Gonzalez, 522 Livingston Street.
- ORD. NO. 3798 - Authorize the establishment of a personalized handicapped parking space for Sandra Mayers-Allmond, 917 McLain Street.

**ORDINANCES ON FIRST (Cont'd.)**

- ORD. NO. 3799 - Authorize the establishment of a personalized handicapped parking space for Michael R. Enz, 42 Grove Street.
- ORD. NO. 3800 - Authorize the establishment of a personalized handicapped parking space for Griselda Alba, 536 Marshall Street.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY EVENING, FEBRUARY 28, 2006, AT 7:30 P.M.**

**ORDINANCES ON FINAL PASSAGE**

- ORD. NO. 3786 - Grant an encroachment permit to Envar Services, Inc., 505 Milltown Road, North Brunswick, N.J., on behalf of 11 Broad, LLC., for environmental work within the public right-of-way of 1169-1171 Elizabeth Avenue.
- ORD. NO. 3787 - Amend Ordinance No. 3753, adopted September 13, 2005, which provided for the purchase and/or condemnation of property on Trumbull Street for an emergency response facility to be built, to add the additional adjoining property to be acquired and to add the amended appraisal amount of \$572,000.00.
- ORD. NO. 3788 - Authorize the establishment of a personalized handicapped parking space for Barbara A. Wright, 736 Eugenia Place.
- ORD. NO. 3789 - Authorize the establishment of a personalized handicapped parking space for Digna E. Manjarres, 450 Third Avenue.

**NEW BUSINESS**

Authorize an amendment to the Fiscal Year 2006 Budget to insert, as an Item of Revenue, a U.S. Department of Commerce and Economic Development, UEZ East Jersey Street Streetscape (2nd Generation Funds) Grant in the amount of \$250,000.00.

Authorize an amendment to the Fiscal Year 2006 Budget to insert, as an Item of Revenue, a Department of Human Services, County of Union Municipal Alliance Grant in the amount of \$82,923.99 (Local Share \$20,730.00).

Authorize the proper City officials to submit a request to the Director, Division of Local Finance, to make corrections in the City's 2006 Fiscal Year Municipal Budget to account for the City's local share of grants approved subsequent to the adopted budget.

Authorize the preparation and submission of an application to the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for a loan for a loan from the N.J. Environmental Infrastructure Trust Financing Program to finance various City sewer projects.

Authorize the application of loans from the New Jersey Environmental Infrastructure Study Financing Program regarding the Joint Meeting of Essex and Union Counties to finance the capital assessments due from the City.

Authorize the award of a contract to Admiral Insurance Company, 1255 Caldwell Road, Cherry Hill, N.J., through their agent of record, Hughes-Plumer and Associates, to renew a policy of insurance covering Public Officials and Employees Liability, for the period January 1, 2006 to January 1, 2007, at a cost of \$86,498.69.

**NEW BUSINESS (Cont'd.)**

Authorize the award of a contract to Fidelity and Deposit Company of Maryland, a member of the Zurich Financial Services Group, 1400 American Lane, Schaumburg, IL., for the renewal of a policy of insurance covering the Fidelity Blanket Bond for public employees, for the period January 1, 2006 to January 1, 2007, at a cost of \$4,069.00.

Authorize the proper City officials to allow the City of Elizabeth to participate in the County of Union Cooperative Pricing System for the purchase of work, services, materials and supplies.

Authorize the award of a contract to Warnock Sales, Inc., 175 Route #10, East Hanover, N.J., for the purchase of six (6) vehicles for the Department of Health and Human Services at a total cost of \$81,762.00.

Authorize the award of a contract to International Salt Company, LLC., P.O. Box 641944, Pittsburgh, PA, for the purchase of rock salt at a cost not to exceed \$286,160.00 (under the Cooperative Purchasing Agreement with the County of Union).

Authorize the award of a contract to Winner Ford of Cherry Hill, 250 Haddonfield-Berlin Road, Cherry Hill, N.J., for the purchase of one (1) 2006 Ford Police Interceptor for the Fire Department at a cost of \$20,840.13.

Amend a resolution adopted August 23, 2005, which authorized the award of a contract to American Hose and Hydraulic Company, 489 Henry Street, Elizabeth, N.J., for the purchase of miscellaneous truck parts, to reflect an extension of the contract period to August 31, 2006, in an amount not to exceed \$75,000.00, an increase of an additional \$40,000.00.

Authorize the award of a contract to Ray's Sport Shop, Inc., 559 Highway #22, North Plainfield, N.J., for the purchase of protective vests, helmets, ammunition and various other crime prevention equipment and supplies for the Police Department and Ambulance Service Bureau for the period February 3, 2006 to October 6, 2006, in an amount not to exceed \$86,000.00.

Grant a waiver of the residency requirement for Emergency Medical Technician Dena Slizewicz for a one-year period.

Grant an extension to March 31, 2006, to close title on the property located at 313-315 Atlantic Street, which was sold at a public auction held May 10, 2005.

Authorize the transfer of property located at 706-708 Monroe Avenue, purchased at public auction held May 10, 2005, from Antonio Grelichia to Arminda Grelichia.

Authorize the proper City officials to execute a CDBG contract with Community Coordinated Child Care of Union County, Inc., 225 Long Avenue, Hillside, N.J., to provide funds in the amount of \$4,600.00 to administer their CPS Family Child Care Network for the period January 1, 2006 to December 31, 2006.

Authorize the proper City officials to execute a CDBG contract with the American Red Cross, Tri-County Chapter, 16 Jefferson Avenue, Elizabeth, N.J., to provide funds in the amount of \$9,000.00 for immediate shelter, food, clothing and medical care for low and moderate income residents of the City who have been victims of a disaster for the period July 1, 2005 to June 30, 2006.

Authorize the proper City officials to execute a CDBG contract with the Occupational Center of Union County, Inc., 301 Cox Street, Roselle, N.J., to provide funds in the amount of \$3,500.00 to administer the agency's sheltered employment service, for the period January 1, 2006 to December 31, 2006.

Authorize the discharge of a second mortgage held by the City on the property located at 85 Dayton Street and further authorize the cancellation of the Affordability Agreement.

Authorize the discharge of a second mortgage held by the City on the property located at 319 Fulton Street and further authorize the cancellation of the Affordability Agreement.

**NEW BUSINESS (Cont'd.)**

Authorize the proper City officials to execute a Home Rental Housing Program loan with Porthaus Renewal, LLC, 230 Halsted Road, Elizabeth for the acquisition of a six (6) unit apartment building located at 266-268 Second Street, in the amount of \$255,000.00.

Authorize the proper City officials to prepare and submit to the U. S. Department of Housing and Urban Development a Consolidated Plan for Fiscal Year 2006 to include applications for funding for Community Development Block Grants, HOME Program Grants and Emergency Shelter Grants.

Authorize the proper City officials to submit an application to the New Jersey Department of Community Affairs for a Smart Future Grant in the amount of \$75,000.00 to develop a conceptual Open Space Plan for the Midtown Redevelopment Area.

Establish a lien on the property located at 330 Magnolia Avenue, in order to reimburse the City for the removal and disposal of debris from said property in the amount of \$1,130.65.

Reject the sole bid received on October 25, 2005, for the furnishing of electrical maintenance and emergency repair service of various City-owned public buildings and authorize the Department of Public Works to readvertise for same.

Authorize Change Order #8 to the contract awarded to Penn Bower, Inc., 132 West Main Street, High Bridge, N.J., which provides for the rehabilitation of the Combined Sewer System at an original cost of \$517,786.74, to provide further for additional labor and material to reconnect two existing catch basins on Catherine Street at an additional cost of \$3,549.19, which combined with the previous change orders raises the total contract amount to \$582,271.38.

Authorize Change Order #9 to the contract awarded to Penn Bower, Inc., 132 West Main Street, High Bridge, N.J., which provides for the rehabilitation of the Combined Sewer System at an original cost of \$517,786.74, to provide further for additional labor and material for pavement cutting, excavation and material disposal at the intersection of Burnett Street and Rahway Avenue at an additional cost of \$5,837.69, which combined with the previous change orders raises the total contract amount to \$588,109.07.

Grant permission to Magill Property Management and Real Estate Development, 819- 821 East Jersey Street, Elizabeth, to access the rear of his property through City-owned property located at 823-827 East Jersey Street, for the removal of an existing oil tank and construction debris.

Authorize the proper City officials to execute an Interlocal Services Agreement with the City of Linden for the resurfacing and improvement of Allen Street, which is a common road to both municipalities, and to reimburse the City of Linden for one-half of the cost not to exceed \$45,000.00 for same.

Authorize the proper City officials to accept a grant in the amount of \$20,000.00, from the New Jersey Department of Health and Senior Services to provide Union County TB Reactor services at the Elizabethport Community Health Center and the Plainfield Health Center.

Authorize the proper City officials to apply, accept and sign appropriate documents for a New Jersey Division of Highway Traffic Safety, State and Community Highway Grant Project in an amount not to exceed \$1,000,000.00.

Authorize the proper City officials to purchase \$51,235.00 worth of equipment to be used at the Tier 1 site at the Jersey Gardens Mall under the provisions of the Buffer Zone Protection Reimbursement Project Grant.

**NEW BUSINESS (Cont'd.)**

Authorize the proper City officials to execute an agreement with the New Jersey Department of Transportation to provide that the City of Elizabeth accept reimbursement for the use of City of Elizabeth Police Officers and Police Vehicles for traffic direction on an overtime rate plus a \$5.00 per hour rate for use of marked police vehicles at the Rt. 82 (Morris Avenue) Streetscape and Intersection Improvement Project.

Establish a handicapped parking space in front of the premises located at 121 Franklin Street.

Establish a handicapped parking space in front of the premises located at 33 Jacques Street.

Establish a handicapped parking space in front of the premises located at 150 Jacques Street.

Establish a handicapped parking space in front of the premises located at 114 Marshall Street.

Establish a handicapped parking space in front of the premises located at 615 North Broad Street (Bridgeway Rehabilitation Services).

Delete the following existing handicapped parking spaces from in front of the premises located at: 504 First Avenue; 320 John Street.

Authorize the acceptance of \$5,000.00 as settlement in the litigation matter of RTCP Associates, LP., vs. the City of Elizabeth.

Authorize settlement in the litigation matter of Tyshon Orr vs. the City of Elizabeth in the amount of \$25,000.00.

Pay utility bills.

**COMMENDATIONS**

**MEMORIALS**

**ADJOURNMENT**