

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, OCTOBER 27, 2009

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

APPROVAL OF MINUTES: Conference Meeting, June 3, 2009; Regular Meeting, June 9, 2009; Conference Meeting, June 16, 2009; Regular Meeting, June 23, 2009; Conference Meeting, July 7, 2009; Regular Meeting, July 28, 2009; Conference Meeting, August 4, 2009; Regular Meeting, August 11, 2009

PUBLIC HEARINGS

- ORD. NO. 4076 - Authorize the execution of a License Agreement with the County of Union for the use of County property between South Broad Street and Bridge Street for the Elizabeth River Trail.
- ORD. NO. 4077 - Grant an encroachment permit to Groundwater & Environmental Services, 1340 Campus Parkway, Neptune, N.J., on behalf of Motive Enterprises, LLC., for the installation of one (1) monitoring well at the former Shell Station, 866 Bayway Circle.
- ORD. NO. 4078 - An ordinance amending and superseding Sections: 17.48.020, Sign Exemptions; 17-48.060, Permit Application, fee, issuance and fines; 17.48-061, Permitted Uses in Zoning Districts; 17.48.061, Sign Specifications; 17.48.090, J., Temporary Signs; 17.48.106, Monument Signs; 17.48.107, Mounted Signs.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 15, 2009, from the Business Administrator recommending the award of a contract to PSE&G, 472 Weston Canal Road, Somerset, N.J., 08873 for PSE&G Lighting Improvements at the Elizabeth Historic Train Station Plaza Area in the amount of \$36,362.13.
Which was received.

By the Clerk:

Letter dated October 15, 2009, from the Business Administrator requesting authorization for the proper City officials to execute a contract with The Chubb Group of Companies, through their agent, Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, N.J., for insurance covering City-owned properties for the period October 1, 2009 to October 1, 2010, at an annual premium of \$80,668.00.
Which was received.

PETITIONS, COMMUNITATIONS, ETC.

By the Clerk:

Letter dated October 15, 2009, from the Business Administrator recommending the award of a contract to Old Dominion Brush Co., 5118 Glen Alden Drive, Richmond, VA, for parts and repairs for road maintenance equipment for the Public Works Department for the period October 1, 2009 to August 31, 2010, at a cost not to exceed \$100,000.00.

Which was received.

By the Clerk:

Letter dated October 15, 2009, from the Business Administrator recommending the award of a contract to Air Brake & Equipment, 225 Route 22 West, Hillside, N.J., for auto parts for heavy duty vehicles for various departments for the period March 18, 2009 to March 18, 2011, at a cost not exceed \$100,000.00.

Which was received.

By the Clerk:

Letter dated October 15, 2009, from the Business Administrator recommending the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, N.J., for reflective sheeting for the Public Works Department for the period May 1, 2009 to May 1, 2010, at a cost not to exceed \$25,000.00.

Which was received.

By the Clerk:

Letter dated October 15, 2009, from the Business Administrator recommending the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, N.J., for Break Away U-Post and Sign Supports for the Public Works Department for the period June 15, 2009 to June 14, 2010, at a cost not to exceed \$25,000.00.

Which was received.

By the Clerk:

Letter dated October 19, 2009, from the Business Administrator requesting a waiver of the residency requirement for James Rogers, for a one year period.

Which was received.

By the Clerk:

Letter dated October 20, 2009, from the Chief Financial Officer advising that Temporary Emergency Appropriations for the 2010 SFY Municipal and Sewer Utility Budgets may be necessary.

Which was received.

By the Clerk:

Letter dated October 20, 2009, from the Chief Financial Officer requesting that your Honorable Body consider approving a resolution confirming the details of the sale of general obligation bonds, Series 2009 of the City of Elizabeth in connection with the Verona/Gebhardt Sewer Project to the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection, constituting the "Fund Loan" in connection with the 2009 New Jersey Environmental Infrastructure Trust (NJEIT) Financing Program.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 7, 2009, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement for Community Development Block Grant (CDBG) CD-35 Funding Year 2009 with each of the following non-profit agencies as listed on Schedule A attached hereto and made a part hereof for the period July 1, 2009 to June 30, 2010, total allocation of \$2,083,270.00, in addition to \$19,540.57 from Program Income for CDBG Year 34, raising total amount available for CD-35 to \$2,101,810.57.

Which was received.

By the Clerk:

Letter dated October 7, 2009, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement for Emergency Shelter Block Grant Funding (ESG) CD-35 Funding Year 2009 with each of the following non-profit agencies as listed on Schedule A attached hereto and made a part hereof, total allocation of \$90,009.00.

Which was received.

By the Clerk:

Letter dated October 7, 2009, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Deferred Payment Loan, Owner Occupied Basic Program, on the property located at 161 Race Street, in an amount not to exceed \$25,000.00.

Which was received.

By the Clerk:

Letter dated October 9, 2009, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to partially discharge the City's mortgage on the property located at 144-152 First Street, Unit H, which Brand New Day has sold to a qualified purchaser and therefore, Brand New Day, Inc., is eligible to a partial release of lien.

Which was received.

By the Clerk:

Letter dated October 14, 2009 from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into a Memorandum of Agreement with the Historical Society of Elizabeth for way-finding interpretive panels to be placed on private properties located at 1045 E. Jersey Street (Bonnell House) and 1046 E. Jersey Street (Belcher-Ogden Mansion).

Which was received.

By the Clerk:

Letter dated October 15, 2009, from the Director of Planning and Community Development requesting authorization to submit a UEZ contract amendment to the New Jersey Urban Enterprise Zone Authority to increase the current grants (façade, sign and graffiti) program limits in the City's UEZ Façade Improvement Programs-Phase VII.

Which was received.

By the Clerk:

Letter dated October 15, 2009, from the Director of Planning and Community Development requesting authorization to submit a UEZ contract amendment to the New Jersey Urban Enterprise Zone Authority to increase the current loan/grants program limits in the City's UEZ Financial Lending Programs – Phase III.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 9, 2009, from the Director of Public Works requesting permission to have liens placed against properties for the boarding up of said properties listed on Schedule A attached hereto and made a part hereof in the total amount of \$3,843.64.

Which was received.

By the Clerk:

Letter dated October 9, 2009, from the Director of Public Works requesting permission to have liens placed against properties for the removal and disposal of debris from said properties listed on Schedule A attached hereto and made a part hereof in the amount of \$10,879.90.

Which was received.

By the Clerk:

Letter dated October 14, 2009, from the Police Director requesting the establishment of handicapped parking spaces at the following locations: 123 Acme Street (name change-personalized), 1015 Bond Street (name change-personalized), 855 Martin Street (personalized); 328 S. Fifth Street (personalized), 310 Christine Street (personalized), 1014 Sheridan Avenue, #F2 (personalized), 212 Christine Street, 156-8 Third Street; disapproved: 508 First Avenue, 621 Jackson Avenue; deletions: 734 Pennington Street, 741 Pennington Street, 900 Grove Street, 1st Floor.

Which was received.

By the Clerk:

The Pancreatic Cancer Action Network is requesting of your Honorable Body to designate the month of November 2009, "Pancreatic Cancer Awareness Month" in the City of Elizabeth.

Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter October 27, 2009, 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, October 23, 2009.

Which was received.

By the Clerk:

Letter dated October 9 2009, from the Police Director submitting the sick and injury report for the month of September, 2009.

Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 4079 - Amend Chapter 10.72 of the Code of the City of Elizabeth, entitled "Miscellaneous Traffic Regulations," specifically regarding regulations for the sale of motor vehicles on public streets.

ORDINANCES ON FIRST (Cont'd.)

- ORD. NO. 4080 - Amend Ord. No. 3995, adopted 10/28/08, authorizing the establishment of a personalized handicapped parking space for Jonathan Lockett at 123 Acme Street, specifically to change the name to Carol A. Lockett.
- ORD. NO. 4081 - Authorize the establishment of a personalized handicapped parking space for Azor Sneed, 1015 Bond Street.
- ORD. NO. 4082 - Authorize the establishment of a personalized handicapped parking space for Clarita Cesar, 855 Martin Street.
- ORD. NO. 4083 - Authorize the establishment of a personalized handicapped parking space for Fanny Panessa, 328 South Fifth Street.
- ORD. NO. 4084 - Authorize the establishment of a personalized handicapped parking space for Donald L. Pfeiffer, 310 Christine Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, NOVEMBER 10, 2009, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4076 - Authorize the execution of a License Agreement with the County of Union for the use of County property between South Broad Street and Bridge Street for the Elizabeth River Trail.
- ORD. NO. 4077 - Grant an encroachment permit to Groundwater & Environmental Services, 1340 Campus Parkway, Neptune, N.J., on behalf of Motive Enterprises, LLC., for the installation of one (1) monitoring well at the former Shell Station, 866 Bayway Circle.
- ORD. NO. 4078 - An ordinance amending and superseding Sections: 17.48.020, Sign Exemptions; 17-48.060, Permit Application, fee, issuance and fines; 17.48-061, Permitted Uses in Zoning Districts; 17.48.061, Sign Specifications; 17.48.090, J., Temporary Signs; 17.48.106, Monument Signs; 17.48.107, Mounted Signs.

NEW BUSINESS

Authorize Temporary Emergency appropriations for the 2010 Fiscal Year Municipal Budget in the amount of \$1,135,000.00.

Authorize the award of a contract to Public Service Electric and Gas Company, 472 Weston Canal Road, Somerset, N.J., for lighting improvements at the Elizabeth Historic Train Station Plaza area, in the amount of \$36,362.13.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Old Dominion Brush Company, 5118 Glen Alden Drive, Richmond, Virginia, for parts and repairs for road maintenance equipment for the Department of Public Works for the period October 1, 2009 to August 31, 2010, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to Air Brake & Equipment, 225 Route 22 West, Hillside, N.J., for auto parts for heavy duty vehicles for various departments for the period March 18, 2009 to March 18, 2011, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, N.J., for the purchase of reflective sheeting for the Department of Public Works, for the period May 1, 2009 to May 1, 2010, at a cost not to exceed \$25,000.00.

Authorize the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, N.J., for the purchase of break-away U-posts and sign supports for the Department of Public Works, for the period June 15, 2009 to June 14, 2010, at a cost not to exceed \$25,000.00.

Authorize the proper City officials to enter into a Memorandum of Agreement with the Historical Society of Elizabeth for wayfinding interpretive panels to be placed on private properties located at 1045 East Jersey Street (Bonnel House) and 1046 East Jersey Street (Belcher-Ogden Mansion).

Authorize the proper City officials to submit a contract amendment to the New Jersey Urban Enterprise Zone Authority for the use of City of Elizabeth Zone Assistance Funds, to increase current grants (façade, sign and graffiti) program limits to the City's Urban Enterprise Zone Facade Improvement Program - Phase VII.

Authorize the proper City officials to submit a contract amendment to the New Jersey Urban Enterprise Zone Authority for the use of City of Elizabeth Zone Assistance Funds, to provide funding for the Urban Enterprise Zone Financial Lending Programs – Phase III, specifically to increase the current loan/grants program limits.

Authorize the proper City officials to confirm the details of the sale of general obligation bonds, Series 2009, of the City of Elizabeth in connection with the Verona/Gebhardt Avenues Sewer Project to the State of New Jersey, acting through the New Jersey Department of Environmental Protection, constituting the "Fund Loan" in connection with the 2009 New Jersey Environmental Infrastructure Trust Financing Program.

Authorize the award of a contract to The Chubb Group of Companies, 12 Vreeland Road, Florham Park, N.J., through the agent of record, Otterstedt Agency, Englewood Cliffs, N.J., to provide insurance covering City-owned properties, for the period October 1, 2009 to October 1, 2010, at an annual premium of \$80,668.00.

Authorize the proper City officials to execute all documents necessary to provide an Owner Occupied Deferred Payment Loan to Carlos and Manuela Ponce on the property located at 161 Race Street, in an amount not to exceed \$25,000.00.

Authorize the partial discharge of a mortgage held by the City on the property located at 144-152 First Street, Unit H, sold by Brand New Day to a qualified purchaser.

Grant a waiver of the residency requirement for Emergency Medical Technician James Rogers, for a one-year period.

NEW BUSINESS (Cont'd.)

Establish liens for the boarding up of properties listed on Schedule A in the total amount of \$4,439.14.

Establish liens for the removal and disposal of debris on properties listed on Schedule A in the total amount of \$13,510.92.

Establish a handicapped parking space in front of the premises located at 212 Christine Street.

Authorize the establishment of a handicapped parking space along the west curb line of Washington Avenue.

Rescind a resolution adopted June 9, 2009, authorizing the establishment of a handicapped parking space in front of the premises located at 855 Martin Street.

Rescind a resolution adopted September 28, 2009, authorizing the establishment of a handicapped parking space in front of the premises located at 328 South Fifth Street.

Rescind a resolution adopted September 28, 2009, authorizing the establishment of a handicapped parking space in front of the premises located at 310 Christine Street.

Delete the following handicapped parking spaces from in front of the premises located at: 734 Pennington Street, 741 Pennington Street, 900 Grove Street,

Declare the month of November, 2009, as “Pancreatic Cancer Awareness Month.”

Pay utility bills.

Approve Bingo and Raffle licenses.

COMMENDATIONS

MEMORIALS

Mrs. Paola Truncale
Mr. Alfonso Miceli
Mr. Jacob Guddemi

ADJOURMENT