

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, DECEMBER 13, 2005

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

APPROVAL OF MINUTES: Regular Meeting, October 25, 2005;
Conference, November 15, 2005

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

PUBLIC HEARINGS

- ORD. NO. 3770 - Authorize the sale of City-owned property located at West Jersey Street and Sterling Place to the Union County Improvement Authority at a purchase price of \$989,310.00.
- ORD. NO. 3771 - Authorize the establishment of a personalized handicapped parking space for James C. Hankins, 624 Green Street.
- ORD. NO. 3772 - Authorize the establishment of a personalized handicapped parking space for Eather L. Folchi, 612 Grier Avenue.

FISCAL YEAR 2006 MUNICIPAL BUDGET AMENDMENTS. (TO BE READ IN FULL)

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated December 6, 2005, from the Chief Financial Officer advising that there may be a need for Fiscal Year 2006 Temporary Emergency Municipal Budget and Sewer Utility Budget appropriations.
Which was received.

By the Clerk:

Letter dated December 6, 2005, from the Chief Financial Officer recommending the award of a contract to Trinitas Hospital, 225 Williamson Street, Elizabeth, for the implementation of an Employee Assistance Program and Alcohol Education Program, for the period January 1, 2006 through December 31, 2006, at a cost of \$40,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated December 6, 2005, from the Chief Financial Officer recommending the award of a contract to Harleysville Mutual Insurance Company, 700 West Hillsborough Boulevard, Deerfield Beach, FL., to obtain a flood insurance policy at the Marina Building located at 63-99 Front Street, for the period January 13, 2006 to January 13, 2007, at a cost of \$2,609.00.

Which was received

By the Clerk:

Letter dated December 6, 2005, from the Chief Financial Officer recommending the award of a contract to Systemed RX a MEDCO Business, 100 Parsons Pond Drive, Franklin Lakes, N.J., to provide a Prescription Drug Program for City employees, for a two year period commencing March 1, 2006 to February 28, 2008, at an estimated annual cost of \$3,000,000.00.

Which was received.

By the Clerk:

Letter dated December 6, 2005, 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 Crown Victoria for the Fire Department, at a cost of \$24,915.13.

Which was received.

By the Clerk:

Letter dated December 6, 2005, from the Chief Financial Officer recommending the award of a contract to award of a contract to the EFK Group Ad Agency, 1027 South Clinton Avenue, Trenton, N.J., for the production of a new web site for the City of Elizabeth, that will include bilingual features (English/Spanish) for the period January 1, 2006 to December 31, 2006, at a cost of \$39,000.00.

Which was received.

By the Clerk:

Letter dated November 14, 2005, from the Chief Financial Officer requesting a waiver of the residency requirement for Emergency Medical Technician Michael Barrett for a one-year period.

Which was received.

By the Clerk:

Letter dated November 14, 2005, from the Business Administrator requesting a waiver of the residency requirement for Emergency Medical Technician Timothy Hart for a one-year period.

Which was received.

By the Clerk:

Letter dated November 14, 2005, from the Business Administrator requesting a waiver of the residency requirement for Emergency Medical Technician Richard Biedrzycki for a one-year period.

Which was received.

By the Clerk:

Letter dated November 14, 2005, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel a previously disallowed senior citizen tax deduction for Tax Year 2004 on the property located at 233 Orchard Street in the amount of \$250.00.

Which was received.

By the Clerk:

Letter dated December 6, 2005, from the Chief Financial Officer requesting the adoption of a bond ordinance in the amount of \$1,200,000.00 for renovations to the Miller Building and expansion of the second floor.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated December 6, 2005, from the Chief Financial Officer requesting the adoption of a bond ordinance in the amount of \$3,800,000.00 for renovations to the Mack Building in order to house the Elizabethport Health Center.
Which was received.

By the Clerk:

Letter dated December 5, 2005, from the Director of Public Works requesting Change Order #2 to the contract awarded to Birdsall Engineering, Inc., 611 Industrial Way West, Eatontown, N.J., which provided engineering and architectural design services for the new Fire Station Headquarters, to add an additional cost of \$64,031.64 to reflect a final fee due Birdsall, which is based upon construction costs, for a total contract fee in the amount of \$656,734.74.
Which was received.

By the Clerk:

Letter dated December 5, 2005, from the Director of Public Works recommending the renewal of a contract with Waste Management of New Jersey, Inc., 847 Flora Street, Elizabeth, for the collection, hauling and disposal of garbage, trash and recyclable materials, including the Housing Authority, all private and public schools and Board of Education buildings for the period January 1, 2006 to December 31, 2006, at a cost in the amount of \$3,653,757.33.
Which was received.

By the Clerk:

Letter dated December 2, 2005, from the Director of Public Works requesting authorization for the proper City officials to execute a Utility Agreement with the New Jersey Department of Transportation for the relocation of certain sewer facilities in connection with the construction of the Magnolia Avenue Bridge Replacement over Route 1 & 9.
Which was received.

By the Clerk:

Letter dated November 21, 2005, from the Director of Public Works requesting the rescission of a resolution adopted November 9, 2005, which authorized the establishment of a lien on the property located at 1046-1048 Fanny Street.
Which was received.

By the Clerk:

Letter dated November 21, 2005, from the Director of Public Works requesting the rescission of a resolution adopted November 9, 2005, which authorized the establishment of a lien on the property located at 68 Fourth Avenue.
Which was received.

By the Clerk:

Letter dated December 5, 2005, from the Director of Planning and Community Development requesting authorization to submit an application to the New Jersey Department of Environmental Protection for a grant in the amount of \$5,000,000.00 under the Hazardous Discharge Site Remediation Fund.
Which was received.

By the Clerk:

Letter dated November 22, 2005, from the Director of Planning and Community Development requesting authorization to execute a CDBG contract with Community Access Unlimited, Inc., 80 West Grand Street, Elizabeth, to provide funds in the amount of \$11,000.00, to administer the Agency's vocational skill development and job placement program, for the period September 1, 2005 until August 31, 2006.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 22, 2005, from the Director of Planning and Community Development requesting authorization to execute an Emergency Shelter Grant contract with Community Access Unlimited, Inc., 80 West Grand Street, Elizabeth, N.J., to provide funds in the amount of \$12,800.00, to administer the agency's Home Share Program, for the period December 1, 2005 until November 30, 2006.
Which was received.

By the Clerk:

Letter dated November 23, 2005, from the Director of Planning and Community Development requesting the discharge of a second mortgage held by the City on the property located at 428 Union Avenue.
Which was received.

By the Clerk:

Letter dated November 21, 2005, from the Director of Planning and Community Development requesting an amendment to a resolution adopted October 26, 2004, which authorized CDBG funds in the amount of \$825,000.00 to the Elizabeth Development Company for Comprehensive Economic Development Initiatives, to correct the amount of funding to \$799,798.00.
Which was received.

By the Clerk:

Letter dated December 2, 2005, from the Director of Planning and Community Development requesting an amendment to a resolution adopted September 25, 2001, which designated Vilu Construction as the redevelopment entity for the former New Jersey Transit bus garage, by changing the name of the redeveloper to Trumbull Street Business Center, LLC., and further to authorize the sale of the bus garage to Trumbull Street Business Center, LLC.
Which was received.

By the Clerk:

Letter dated November 28, 2005, from the Director of Planning and Community Development requesting an amendment to a resolution adopted August 24, 2004, which approved a Home Program loan to Community Investment Strategies, Inc., for the Portside Homes Project, to change the name of the borrower to Water's Edge, LLC., and to specify that this loan will be forgivable after the appropriate period.
Which was received.

By the Clerk:

Letter dated November 29, 2005, from the Director of Planning and Community Development requesting the discharge of a second mortgage held by the City on the property located at 501 Court Street.
Which was received.

By the Clerk:

Letter dated November 30, 2005, from the Director of Planning and Community Development requesting authorization to execute an agreement with the Elizabethport Presbyterian Center, Inc., 184 First Street, Elizabeth, to provide funds in the amount of \$20,000.00 to administer the agency's senior program and the agency's Guide, Gather and Groom Program for youth, ages seven to nine, residing in Elizabethport, for the period July 1, 2004 to June 30, 2005.
Which was received.

By the Clerk:

Letter dated November 14, 2005, from the Director of Planning and Community Development requesting the vacation of the southern side of Broadway, from Front Street to First Street.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 14, 2005, from the Director of Planning and Community Development recommending the award of a contract to Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., to provide professional planning and engineering services to the Planning Board and Zoning Board of Adjustment, for the period November 1, 2005 through October 31, 2006, at a fee of \$55,000.00.
Which was received.

By the Clerk:

Letter dated November 28, 2005, from the Director of Planning and Community Development requesting authorization to enter into an agreement with the Union County Vocational-Technical Schools, 1776 Raritan Road, Scotch Plains, N.J., to provide funds in the amount of \$10,000.00 for their Adult High School Teaching services, for the period January 1, 2006 to December 31, 2006.
Which was received.

By the Clerk:

Letter dated December 2, 2005, from the Director of Fire requesting authorization for the proper City officials to accept a rescue vehicle from Urban Area Security Initiative in conjunction with Homeland Security Grants for the Fire Department and further authorize for additional equipment to be added to said vehicle at a cost of \$104,000.00.
Which was received.

By the Clerk:

Letter dated November 9, 2005, from the Director of Police recommending the establishment of handicapped parking spaces at 829 Martin Street; 610 Franklin Street; 638 Marshall Street; 526 Livingston Street; 1017 Flora Street; 737 Adams Avenue; 504 First Avenue; 628 Adams Avenue (personalized); 522 Livingston Street (personalized); 901 Flora Street (personalized); 441A Livingston Street (personalized) and recommending against a handicapped parking space at 718 Jackson Avenue.
Which was received.

By the Clerk:

Letter dated November 30, 2005, from the Director of Police requesting authorization to accept reimbursement from the New Jersey Department of Transportation for all hours during which Elizabeth police officers work in directing traffic on an overtime rate plus a \$5.00 per hour rate for use of marked police vehicles in conjunction with the Routes 1 & 9 Magnolia Avenue Bridge Project.
Which was received.

By the Clerk:

Letter dated December 6, 2005, from the Second Assistant City Attorney requesting an extension to close title by Atlantic Properties to on or before January 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 November 2, 2005, from Schoor DePalma, Inc., Engineers and Consultants, Justine Corporate Center, 200 U.S. Highway 9, Manalapan, N.J., requesting authorization to install three (3) groundwater monitoring wells in the public right-of-way of North Avenue, Division Street and Dowd Avenue, as part of the environmental study as part of the North Avenue Corridor Improvement Project.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated December 13, 2005, 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, December 09, 2005.

Which was received.

By the Clerk:

Letters dated November 30, 2005, from the Chief Financial Officer submitting the City Treasurer's report of receipts and disbursements for the month of August, 2005, and statements of bank balances and investments as of August 31, 2005.

Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 3773 - Authorize an ordinance granting municipal consent for the operation of a cable system within the City of Elizabeth to CSC TKR, Inc.
- ORD. NO. 3774 - Authorize the sale of City-owned property located at 801-871 Livingston Street to Trumbull Street Business Center, LLC., at a purchase price of \$520,000.00.
- ORD. NO. 3775 - Grant an encroachment permit to Schoor DePalma, Inc., 200 U.S. Highway 9, Manalapan, N.J., to install three (3) groundwater monitoring wells in the public right-of-way of North Avenue, Division Street and Dowd Avenue, as part of the environmental study for the North Avenue Corridor Improvement Project.
- ORD. NO. 3776 - Authorize the establishment of a personalized handicapped parking space for Isabel A. Vargas, 628 Adams Avenue.
- ORD. NO. 3777 - Authorize the establishment of a personalized handicapped parking space for Robert Hendley, 901 Flora Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY EVENING, DECEMBER 27, 2005, AT 7:30 P.M.

- ORD. NO. 3778 - Authorize a bond ordinance in the amount of \$3,800,000.00 for the renovation of the Mack Building in order to house the Elizabethport Health Center.
- ORD. NO. 3779 - Authorize a bond ordinance in the amount of \$1,200,000.00 for renovations to the Arabella Miller Recreation Center.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY EVENING, JANUARY 10, 2006, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 3770 - Authorize the sale of City-owned property located at West Jersey Street and Sterling Place to the Union County Improvement Authority at a purchase price of \$989,310.00.
- ORD. NO. 3771 - Authorize the establishment of a personalized handicapped parking space for James C. Hankins, 624 Green Street.

ORDINANCES ON FINAL (Cont'd.)

ORD. NO. 3772 - Authorize the establishment of a personalized handicapped parking space for Eather L. Folchi, 612 Grier Avenue.

NEW BUSINESS

Authorize the City Clerk to read the Fiscal Year 2006 Budget by Title.

Adopt the Fiscal Year 2006 Municipal Budget in the amount of \$170,475,763.56; Sewer Utility Budget in the amount of \$19,120,017.83; and the Capital Budget in the amount of \$42,239,550.00.

Authorize an amendment to the Fiscal Year 2006 Capital Budget in the amount of \$1,200,000.00.

Authorize the award of a contract to Harleysville Mutual Insurance Company, 700 West Hillsborough Boulevard, Deerfield Beach, Florida, to obtain a flood insurance policy covering the Marina building at 63-99 Front Street, for the period January 13, 2006 to January 13, 2007, at an annual premium of \$2,609.00.

Authorize the award of a contract to Systemed RX a MEDCO Business, 100 Parsons Pond Drive, Franklin Lakes, N.J., to provide a Prescription Drug Program for City employees, for a two year period commencing March 1, 2006 to February 28, 2008, at an estimated annual cost of \$3,000,000.00.

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 Crown Victoria for the Fire Department, at a cost of \$24,915.13.

Authorize the award of a contract to the EFK Group Ad Agency, 1027 South Clinton Avenue, Trenton, N.J., for the production of a new web site for the City of Elizabeth, that will include bilingual features (English/Spanish) for the period January 1, 2006 to December 31, 2006, at a cost of \$39,000.00.

Authorize the proper City officials to execute a Utility Agreement with the New Jersey Department of Transportation for the relocation of certain sewer facilities in connection with the construction of the Magnolia Avenue Bridge Replacement over Route 1 & 9.

Authorize the renewal of a contract to Waste Management of New Jersey, Inc., 864 Julia Street, Elizabeth, to provide for the collection, hauling and disposal of garbage, trash and recyclable materials, including the Housing Authority, all private and public schools and Board of Education buildings, for a one year period commencing January 1, 2006 to December 31, 2006, at a cost of \$3,653,757.33.

Authorize Change Order #2 to the contract awarded to Birdsall Engineering, Inc., 611 Industrial Way West, Eatontown, N.J., which provided professional engineering and architectural design services for the new Fire Headquarters, at a cost of \$487,500.00, to reflect a final fee due based on construction costs at an additional cost of \$64,031.64, for a total contract cost of \$656,734.74.

Authorize the acceptance of a rescue vehicle from Urban Area Security Initiative (UASI) in conjunction with Home Land Security for the Fire Department; the execution of a Memorandum of Understanding with the Attorney General, Department of Community Affairs and UASI, and further authorize for additional equipment to be added to said vehicle at a cost of \$104,000.00.

Authorize the proper City officials to execute an agreement with the New Jersey Department of Transportation, Division of Project Management, to provide that the City of Elizabeth accept reimbursement for the use of City of Elizabeth Police Officers and marked police vehicles for traffic direction on an overtime rate plus a \$5.00 per hour rate for use of marked police vehicles at the Magnolia Avenue Bridge Project over Route 1 & 9.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to submit an application to the New Jersey Department of Environmental Protection - Hazardous Discharge Site Remediation for a grant in the amount of \$5,000,000.00 to conduct testing and remediation for City-owned properties.

Authorize an amendment to a resolution adopted September 21, 2001, which designated Vilu Construction, Inc., as the redevelopment entity for the former New Jersey Transit Bus Garage by changing the name of the redeveloper to Trumbull Street Business Center, L.L.C.

Authorize the award of a contract to Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., to provide professional planning and engineering services to the Planning Board and Zoning Board of Adjustment, for the period November 1, 2005 to October 31, 2006, at a cost not to exceed \$55,000.00.

Authorize the proper City officials to execute an Emergency Shelter Grant agreement with Community Access Unlimited, Inc., 80 West Grand Street, Elizabeth, to provide funds in the amount of \$12,800.00 to administer the agency's Home Share Program, for the period December 1, 2005 until November 30, 2006.

Authorize the proper City officials to execute a CDBG contract with Community Access Unlimited, Inc., 80 West Grand Street, Elizabeth, to provide funds in the amount of \$11,000.00, to administer the Agency's vocational skill development and job placement program, for the period September 1, 2005 until August 31, 2006.

Authorize the proper City officials to execute an agreement with the Union County Vocational Technical Schools, 1776 Raritan Road, Scotch Plains, N.J., to provide funds in the amount of \$10,000.00 to administer their Adult High School Teaching Services Program for the period January 1, 2006 to December 31, 2006.

Authorize the proper City officials to execute an agreement with the Elizabethport Presbyterian Center, Inc., 184 First Street, Elizabeth, to provide funds in the amount of \$20,000.00 to administer the agency's Senior Program and the "Guide, Gather and Groom Program for youth, ages seven to nine residing, in Elizabethport, for the period July 1, 2004 to June 30, 2005.

Authorize an amendment to a resolution adopted October 26, 2004, which authorized a CDBG contract with the Elizabeth Development Company to provide funds in the amount of \$825,000.00 to continue the agency's Comprehensive Economic Development Program, to correct the amount of the contract to \$799,798.00.

Authorize an amendment to a resolution adopted August 24, 2004, which authorized a HOME Program Loan to Community Investment Strategies, Inc., in the amount of \$500,000.00, to change the name of the borrower to Water's Edge, LLC., and to further specify that the loan will be forgivable after the appropriate period of affordability.

Authorize the discharge of a second mortgage held by the City on the property located at 501 Court Street.

Authorize the discharge of a second mortgage held by the City on the property located at 428 Union Avenue.

Grant an extension to January 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.

Rescind a resolution adopted November 9, 2005, which authorized the establishment of a lien on the property located at 1046-1048 Fanny Street.

Rescind a resolution adopted November 9, 2005, which authorized the establishment of a lien on the property located at 68 Fourth Street.

NEW BUSINESS (Cont'd.)

Authorize the Tax Collector to cancel a previously disallowed senior citizen tax deduction on the property located at 233 Orchard Street, for Tax Year 2004 in the amount of \$250.00.

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

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

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

Authorize settlement in the litigation matter of Juan F. Juarez vs. the City of Elizabeth in the amount of \$95,000.00.

Authorize settlement in the workers compensation litigation matter of Robert Marcus, vs. the City of Elizabeth, in the amount of \$13,174.03.

Authorize reimbursement to the City of Elizabeth in the amount of \$19,860.00 as a settlement in the litigation from Old Republic National Title Insurance Company.

Establish a handicapped parking space in front of the premises located at 441 Maple Avenue.

Establish a handicapped parking space in front of the premises located at 829 Martin Street.

Establish a handicapped parking space in front of the premises located at 610 Franklin Street.

Establish a handicapped parking space in front of the premises located at 638 Marshall Street.

Establish a handicapped parking space in front of the premises located at 1017 Flora Street.

Establish a handicapped parking space in front of the premises located at 737 Adams Avenue.

Establish a handicapped parking space in front of the premises located at 504 First Avenue.

Support Senator Raymond J. Lesniak's proposal of Senate Bill S-1212, which would abolish the death penalty in New Jersey.

Pay utility bills.

COMMENDATIONS

Celebrate the 39th Anniversary of Kwanzaa
Philip R. Leary, Secretary to ABC Board, Retirement

MEMORIALS

ADJOURNMENT