

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, JANUARY 12, 2021

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

APPROVAL OF MINUTES:

Organization Meeting, January 1, 2019
Conference Meetings: January 2, 15; February 5, 19;
March 5, 19; April 2, 16; May 7, 21; June 5, 18; July 2;
August 5; September 3, 17; October 1, 15; November 6,
18; December 3, 17, 2019
Regular Meetings: January 8, 22; February 13, 26;
March 12, 26; April 9, 23; May 14, 28; June 11, 25; July
23; August 27; September 10, 24; October 8, 22;
November 12, 26; December 10, 23, 2019
Special Meetings: June 25; July 2; August 5;
November 18, 2019

PUBLIC HEARINGS

ORD. NO. 5421- An Ordinance to amend Chapter 8.81 of the Code of the City of Elizabeth, Entitled, "Municipal Identification Card Program for Residents of the City of Elizabeth" to extend the expiration date of City of Elizabeth Municipal Identification Cards that have expired during the COVID-19 Declaration of Emergency declared by Governor Murphy to June 30, 2021.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated December 31, 2020, from His Honor the Mayor subject to your advice and consent I am making the following appointments for a term of one -year effective January 1, 2021: Chief Municipal Prosecutor, Norma M. Murgado, Esq.; Assistant Municipal Prosecutors; Ashton E. Thomas, Esq.,; Patricia A. Mack, Esq.; Annette Quijano, Esq.; Temporary Municipal Prosecutors, Robert Carroll, Esq.; Suzette Cavadas, Esq., William T. Donegan, Esq., Kevin D. Harris, Esq., Anabela Dacruz-Melo, Esq.; Christopher Howard, Esq.; Jose Rivera-Benitez, Esq.; Connie Bentley McGhee, Esq.; Shlomo Himmel, Esq.; Daniel A. Serratelli, Esq.; Cheryl Craft, Esq.; Moshood Muffau, Esq.; Ileana J. Montes Guadagnino, Esq.
Which was received.

By the Clerk:
Letter dated December 21, 2020, from the Business Administrator recommending awarding a contract to Trinitas Physicians Practice, LLC-CARE EAP, 300 North Avenue East, Cranford, NJ for the implementation of an Employee Assistance Program and Alcohol Education Program for the period commencing January 1, 2021 through December 31, 2021 at a cost not to exceed \$40,000.00.
Which was received.

By the Clerk:
Letter dated December 22, 2020, from the Business Administrator recommending awarding a contract to Skyline Environmental Inc., 740 Highway 34, Suite E, Old Bridge Township, Matawan, NJ to provide professional services in connection with the Health and Safety Compliance Programs for the Year 2021 for the period of January 1, 2021 to December 31, 2021 at a cost not to exceed \$70,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated December 28, 2020, from the Business Administrator recommending awarding a contract to Weldon Materials, Inc., 141 Central Avenue, Westfield, NJ for the purchase of Road Materials for the period of November 15, 2020 through November 15, 2021 at a cost not to exceed \$100,000.00.
Which was received.

By the Clerk:

Letter dated December 28, 2020, from the Business Administrator request authorization for the proper City officials to execute and issue a Hold Harmless Agreement and Certificate of Insurance for the Elizabeth Police Department, Emergency Services Unit and Rifle Team for firearm training at the US Government, Joint Base McGuire-Dix-Lakehurst, JB MDL, 3021 McGuire Blvd, Trenton, NJ 08641 effective January 1, 2021 through December 31, 2021.
Which was received.

By the Clerk:

Letter dated December 30, 2020, from the Business Administrator request to Amend the resolution adopted on September 8, 2020 authorizing the renewal of the Vehicle Parking Space Rental Agreement by and between the City of Elizabeth and the Parking Authority of the City of Elizabeth at a cost of \$632,000.00, specifically to include an additional fifty (50) spaces located in Lot No. 2 at the cost of \$87,000.00 for additional security and parking spaces for large transport vehicles increasing the total to \$719,000.00 and authorize the proper City officials to execute any and all documents in connection with this amendment and parking space rental agreement.
Which was received.

By the Clerk:

Letter dated January 5, 2021, from the Chief Financial Officer advising that additional grants may be appropriated in the 2021 SFY Budget by budget amendments (Chapter 159).
Which was received.

By the Clerk:

Letter dated January 5, 2021, from the Chief Financial Officer advising in compliance with the SFY 2016 Appropriations Act requires that your Honorable Body approve all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:

Letter dated January 5, 2021, from the Chief Financial Officer advising that your Honorable Body must certify, by resolution, that they have familiarized themselves with the contents of the 2020 Annual Audit Report and have reviewed, as a minimum, the General Comments and Recommendations Section of the audit.
Which was received.

By the Clerk:

Letter dated December 16, 2020, from the Director of Planning and Community Development request authorization for the proper City officials to execute any and all documents necessary to discharge the City's mortgage and cancellation of the Deed of Easement and Restrictive Covenant for 78 East Jersey Street.
Which was received.

By the Clerk:

Letter dated December 30, 2020, from the Director of Public Works request to close out the Green Acres Park Renovation Project with Roman Asphalt Corp. 14 Ogdan Street, Newark, NJ in the amount of \$1,520,692.21 with the assessment of liquidated damages in the amount of \$178,009.54 resulting in a decrease of 10.5% of the original contract amount of \$1,698,701.75.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated December 30, 2020, from the Director of Public Works request approval of Contract Amendment No. 1 – Final for the contract awarded to Johnson, Mirmiran & Thompson, Inc., for professional engineering services in connection with the design and construction phase engineering services for the South Street Flood Control Project at a cost not to exceed \$432,300.00 plus reimbursables, to provide further for design and engineering services during construction on a lump sum and time and materials basis at an additional cost of \$122,300.00 and \$301,120.00 for services during construction for an additional cost not to exceed \$423,420.00 for a new contract amount of \$855,720.00 which is a 98% increase to the original contract.
Which was received.

By the Clerk:

Letter dated December 30, 2020, from the Director of Public Works request approval of Change Order No. 1 -Final for the contract awarded to Tomco Construction, Inc., Mt. Arlington, NJ in connection with the construction of the Pine Street Parking Lot, 34-58 Pine Street in the amount of \$1,329,999.00, to provide further for final quantity adjustments from the estimated bid quantities to the final as-built quantities wherein the majority of the additional costs are a result of an increased volume and tonnage of excess soil removal that was unanticipated at the time of bid in the amount of \$179,740.69 which represents a total increase of 13.5% of the original contract amount raising the contract to \$1,509,739.69.
Which was received.

By the Clerk:

Letter dated December 21, 2020, from the Police Director request to Amend Chapter 10.40.070 of the Code of the City of Elizabeth entitled: No Parking of Trucks-Portion Affected, specifically to include Reid Street, both sides, between E. Grand Street and Magnolia Avenue.
Which was received.

By the Clerk:

Memo dated December 29, 2020, from the City Engineer request to refund to the developer, Classic Tile, their deposit for the setting of ten (10) monuments on the property located at 309-339 Port Avenue in the amount of \$6,000.00.
Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

ORD. NO. 5422 - An Ordinance to amend Section 10.40.070, of the Code of the City of Elizabeth, entitled "No Parking of Trucks - Portion Affected" specifically to add Reid Street, Both sides, between East Grand Street and Magnolia Avenue.

ORD. NO. 5423 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Tamara Ovalle, 410 Centre Street, Elizabeth, New Jersey.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING
ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD
TUESDAY, JANUARY 26, 2021 AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5421 - An Ordinance to amend Chapter 8.81 of the Code of the City of Elizabeth, Entitled, "Municipal Identification Card Program for Residents of the City of Elizabeth" to extend the expiration date of City of Elizabeth Municipal Identification Cards that have expired during the COVID-19 Declaration of Emergency declared by Governor Murphy to June 30, 2021.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, the NPP COVID-19 Relief and Recovery Program Grant 2020-NPP Columbian District Implementation Plan Increase #1, in the amount of \$13,000.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, the NPP COVID-19 Relief and Recovery Program Grant 2020-NPP Columbian District Implementation Plan Increase #2, in the amount of \$256,660.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, New Jersey Division of Criminal Justice – Body Armor 2020 Grant, in the amount of \$20,388.02.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, U.S. Department of Housing and Urban Development (HUD) – HOPWA Grant 2021, in the amount of \$750,000.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, State of New Jersey Department of Health – Overdose Fatality Review Team 2021, in the amount of \$100,000.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, State of New Jersey Department of Health – Strengthening Local Public Health Capacity Program 2021, in the amount of \$142,236.00.

In compliance with the SFY 2016 Appropriations Act (Best Practices Requirement), City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Confirm the appointment of Norma M. Murgado, Esq., to serve as Chief Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Ashton E. Thomas, Esq., to serve as Assistant Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Patricia A. Mack, Esq., to serve as Assistant Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Annette Quijano, Esq., to serve as Assistant Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Robert Carroll, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Suzette Cavadas, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of William T. Donegan, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Kevin D. Harris, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Anabela Dacruz-Melo, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Christopher Howard, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Jose Rivera-Benitez, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

NEW BUSINESS (cont'd)

Confirm the appointment of Connie Bentley McGhee, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Shlomo Himmel, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Daniel A. Serratelli, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Cheryl Craft, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Moshood Muffau Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021.

Confirm the appointment of Ileana J. Montes Guadagnino, Esq., to serve as Temporary Municipal Prosecutor for a term of one (1) year commencing January 1, 2021

Authorize the award of a contract to Trinitias Physicians Practice, LLC-CARE EAP, 300 North Avenue East, Cranford, N.J., to implement an Employee Assistance Program (EAP) and an Alcohol Education Program for the period January 1, 2021 through December 31, 2021, in an amount not to exceed \$40,000.00.

Authorize the award of a contract to Skyline Environmental, Inc., 740 Highway 34, Suite E, Old Bridge Township, Matawan, N.J, to provide professional services in connection with the Health & Safety Compliance Programs for the period January 1, 2021 to December 31, 2021, in the amount not to exceed \$70,000.00.

Authorize the award of a contract to Weldon Materials, Inc., 141 Central Avenue, Westfield, N.J., for the purchase of Road Materials through the Union County Co-Op for the period of November 15, 2020 through November 15, 2021, at a cost not to exceed \$100,000.00.

Authorize the proper City officials to execute and issue a Hold Harmless Agreement and Certificate of Insurance for the Elizabeth Police Department, Emergency Services Unit and Rifle Team for firearm training at the firearm ranges at US Government, Joint Base McGuire-Dix-Lakehurst, New Jersey, effective January 1, 2021 through December 31, 2021.

Amend resolution adopted on September 8, 2020 authorizing the renewal of the Vehicle Parking Space Rental Agreement by and between the City of Elizabeth and the Parking Authority of the City of Elizabeth at a cost of \$632,000.00, specifically to include an additional fifty (50) spaces located in Lot No. 2 at the cost of \$87,000.00 for additional security and parking spaces for large transport vehicles for a grand of \$719,000.00 and to authorize the proper City officials to execute any and all documents in connection with this amendment and parking space rental agreement.

Certify to the State of New Jersey Local Finance Board that each member of City Council has reviewed and is familiar with, as a minimum, the sections of the 2020 Annual Audit Report entitled: General Comments and Recommendations.

Authorize the proper City officials to execute any and all documents necessary to Discharge the City's mortgage(s) and cancellation of the Deed of Easement and Restrictive Covenant on the property located at 78 East Jersey Street, Elizabeth, New Jersey.

Authorize Project Closeout to the contract awarded to Roman Asphalt Corp, 14 Ogden Street, Newark, N.J. for the Green Acres Park Renovation Project in the amount of \$1,520,692.21 with the assessment of liquidated damages in the amount of \$178,009.54 resulting in a decrease of 10.5% of the original contract amount of \$1,698,701.75.

NEW BUSINESS (cont'd)

Authorize Contract Amendment No.- 1 Final to the contract awarded to Johnson, Mirmiran & Thompson, Inc., 1200 Lenox Drive, Trenton, N.J., to provide design and construction phase engineering services in connection with the South Street Flood Control Project at a cost not to exceed \$432,300.00 plus reimbursables, specifically to provide further design and engineering services during construction on a lump sum and time and materials basis at an additional cost of \$122,300.00 for design services and \$301,120.00 for services during construction for a total additional cost not to exceed \$423,420.00 for a new contract amount of \$855,720.00.

Authorize Change Order No. 1- Final, to the contract awarded to Tomco Construction, Inc., 22 Howard Boulevard, Mt. Arlington, N.J., for the construction of the Pine Street Parking Lot (34-58 Pine Street) in the amount of \$1,329,999.00, specifically change order represents final quantity adjustments from the estimated bid quantities to the final as-built quantities, which represents a total increase of \$179,740.69, raising the amount of contract to \$1,509,739.69.

Authorize the proper City Officials to refund the monetary deposit required for the setting of ten (10) monuments on the property located at 309-339 Port Avenue to Classic Tile Inc., 311 West Main Street, Building 1, Unit 8, Rockaway, N.J., in the amount of \$6,000.00.

Commemorate January 18, 2021 as the Thirty-Sixth Anniversary honoring the life of Reverend Dr. Martin Luther King, Jr.

Pay Utility Bills

COMMENDATIONS:

Ben Candelino) Elizabeth Public Schools Athletic Director Inducted to the
)New Jersey Scholastic Coaches Association Coaches Hall of Fame

Michael and Ruth Kolb)Honored as Guests of Honor at the Jewish Educational Center
Virtual Dinner, January 3, 2021

Elie and Rachel Bodner)Honored with the Young Leadership Award at the Jewish
Educational Center Virtual Dinner, January 3, 2021

MEMORIALS:

Rosa Idrovo
Patricia M. Glackin
Dorothy Ravenell Limehouse
Jorge Vilchez
Theodore Kastis
Mimose Nonez

ADJOURNMENT