

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, FEBRUARY 22, 2022

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

PUBLIC HEARINGS

- ORD. NO. 5604 - An Ordinance to authorize funding for and acquisition of a portion of real property owned by record owner, Shiloh Baptist Church, designated as Block 6, Lot 682 and also known as 79-85 Murray Street, City of Elizabeth, which is required for the Elizabeth River Trail Project and Flood Control Purposes, by negotiations with record owner and, in the event of failure to reach an agreement on value or terms or conditions, by condemnation proceedings pursuant to N.J.S.A. 20:3-1 ET.SEQ.
- ORD. NO. 5606 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Mario Marcucci Alvarado, 630 Court Street, Fl. 1, Elizabeth, New Jersey.
- ORD. NO. 5607 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Carmen Rodriguez, 317 John Street, Elizabeth, New Jersey.
- ORD. NO. 5608 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Angela Rigo, 321 John Street, Apt. 1, Elizabeth, New Jersey.
- ORD. NO. 5609 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Adrienne Green, 923 McInain Street, Elizabeth, New Jersey.
- ORD. NO. 5610 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Nancy Velez, 28 Rankin Street, Elizabeth, New Jersey.
- ORD. NO. 5611 - An Ordinance to rescind Ordinance No. 5268, adopted on November 26, 2019, which authorized the establishment of a personalized handicapped parking space for Graca Ruivo, 241 Clark Place, Elizabeth, New Jersey.
- ORD. NO. 5612 - An Ordinance to rescind Ordinance No. 4921, adopted on October 10, 2017, which authorized the establishment of a personalized handicapped parking space for James Fordham, 579 Monroe Avenue, Elizabeth, New Jersey.
- ORD. NO. 5614 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Jose Lopez, 326 Centre Street, Elizabeth, New Jersey.
- ORD. NO. 5615 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Santos Lopez, 626 Fulton Street, Elizabeth, New Jersey.

PUBLIC HEARINGS (Cont'd)

ORD. NO. 5616 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Maria Hernandez, 620 Marshall Street, Apt. 1R, Elizabeth, New Jersey.

THE GREATER ELIZABETH TOURISM IMPROVEMENT DISTRICT 2022 CALENDAR YEAR BUDGET IN THE AMOUNT OF \$727,417.48

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 8, 2022, from His Honor the Mayor, subject to the confirmation of your Honorable Body, I herewith reappoint Roman A. Montes, Esq., to serve as Presiding Judge of the Municipal Court for a term of three years, effective March 1, 2022. Which was received.

By the Clerk:

Letter dated February 9, 2022, from the Business Administrator recommending awarding a contract to Gila, LLC, d/b/a Municipal Services Bureau, 325 Daniel Zanker Drive, Suite 3, Horseheads, NY for the furnishing of credit card/electronic payment services for the City of Elizabeth for the Municipal Court Division for a period of two (2) years from the date of the execution of the contract with an option to renew for a single three-year period under the same terms and conditions in an amount not to exceed \$60,000.00 per year and authorize the proper City officials to execute any documents in connection with this contract. Which was received.

By the Clerk:

Letter dated February 10, 2022, from the Business Administrator recommending awarding a contract to Colliers Engineering & Design d/b/a Maser Consulting P.A., 331 Newman Springs Road, Suite 203, Red Bank, NJ to provide the City of Elizabeth Recreation Department with professional environmental engineering services for Mickey Walker, Jackson, Miller Evans Logan, Green Acres Spray Parks, Exleben Pool Complex and Miller Park 2021-2022 closing and reopening procedures, management, site inspections, coordination efforts and will call on an as needed basis and authorize the proper City officials to execute any documents in connection with this contract award in the amount of \$77,330.00. Which was received.

By the Clerk:

Letter dated February 10, 2022, from the Business Administrator recommending awarding a contract to Jesco, Inc., 118 St. Nicholas Avenue, South Plainfield, NJ for the purchase of parts, repairs, new equipment, and rentals for grounds equipment for the period of February 9, 2022 through February 21, 2023 at a cost not to exceed \$250,000.00. Which was received.

By the Clerk:

Letter dated February 11, 2022, from the Business Administrator recommending awarding contracts to the following psychologists and their respective practices to serve as psychologists for the City of Elizabeth Fire and Police Departments for the period of March 1, 2022 through February 28, 2023: Richard P. Cevalco, Ed. D, 52 Stratford Drive, Manalapan, NJ; Lewis Z. Schlosser, PhD, ABPP, Institute for Forensic Psychology, 5 Fir Court, Suite 2, Oakland, NJ; Matthew E. Guller, JD, PhD, ABPP, Institute for Forensic Psychology, 5 Fir Court, Suite 2, Oakland, NJ; Krista L. Dettle, PhD, Institute for Forensic Psychology, 5 Fir Court, Suite 2, Oakland, NJ total cost of the services provided is not to exceed \$75,000.00 per each practice unless further authorized by your Honorable Body. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated February 14, 2022, from the Business Administrator request authorization for the proper City officials to enter into and execute an agreement with the Law Firm of Lum, Drasco & Positan, LLC, 103 Eisenhower Parkway, Roseland, NJ to provide Employment Counsel Services for the City of Elizabeth for the period of March 1, 2022 through February 28, 2023 at a rate of \$175.00 per hour for attorneys, \$75.00 per hour for paralegals and \$25.00 per hour for secretarial overtime, if authorized by the City Attorney, for a total cap of \$60,000.00. Which was received.

By the Clerk:

Letter dated February 15, 2022, from the Chief Financial Officer request an Ordinance to approve an amendment to the Financial Agreement with Jersey Walk E. Jersey Urban Renewal, LLC, 901-938 East Jersey Street, former Elizabeth General Hospital, for a 6 story mixed use building comprised of 221 market rate units, and 3,000 square feet of prime retail space including an expansive courtyard to provide for the promote quality of life issues for the residents; application and financial agreement would provide an Annual Service charge to the City of approximately \$603,000.00 with incremental increases while employing approximately 127 construction jobs along with 7 management/maintenance full-time permanent jobs to administer the dwelling units and 15 retail full-time permanent jobs. Which was received.

By the Clerk:

Letter dated February 15, 2022, from the Chief Financial Officer request a resolution approving an amendment to a Tax Exemption for Jersey Walk E Jersey Urban Renewal, LLC, 901-938 East Jersey Street, former Elizabeth General Hospital, for a 6 story mixed use development consisting of 221 market rate units, and 3,000 square feet of prime retail space including an expansive courtyard to provide for and further promote quality of life issues for the residents and the neighborhood at large; this project would provide an Annual Service charge to the City of \$603,000.00 with incremental increases while employing an estimated 127 construction jobs and approximately 7 management/maintenance permanent jobs to administer the dwelling units and 15 retail full time permanent jobs. Which was received.

By the Clerk:

Letter dated February 15, 2022, from the Chief Financial Officer request an Ordinance to approve an amendment to the Financial Agreement with Jersey Walk Lafayette Urban Renewal, LLC, 901-938 East Jersey Street, former Elizabeth General Hospital, for a 6 story residential development consisting of 53 market rate units including an expansive courtyard; application and financial agreement would provide an Annual Service Charge to the City of approximately \$271,000.00 with incremental increases while employing an estimated 127 construction jobs along with about 7 management/maintenance permanent jobs to administer the dwelling units. Which was received.

By the Clerk:

Letter dated February 15, 2022, from the Chief Financial Officer request a resolution approving an amendment to a Tax Exemption for Jersey Walk Lafayette Urban Renewal, LLC, , 901-938 East Jersey Street, former Elizabeth General Hospital, for a 6 story residential development consisting of 53 market rate units; this project would provide an Annual Service Charge to the city of \$271,000.00 with incremental increases while employing an estimated 127 construction jobs and approximately 7 management/maintenance permanent jobs to administer the apartment building. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated February 15, 2022, from the Chief Financial Officer request an Ordinance to approve an amendment to the Financial Agreement with Jersey Walk Garage Urban Renewal, LLC, 901-938 East Jersey Street, former Elizabeth General Hospital, for the substantial rehabilitation of an existing five-story parking facility including 441 parking spaces; the amendment also includes the addition of an Amenity Building to provide for activities for the residents; application and financial agreement would provide an Annual Service charge to the City of approximately \$57,000.00 with incremental increases while employing 127 construction workers, plus 3 management/maintenance positions once entered into service in addition to the expansive parking will generate about \$60,000.00 in parking tax revenues to the City. Which was received.

By the Clerk:

Letter dated February 15, 2022, from the Chief Financial Officer request a resolution approving an amendment to a Tax Exemption for Jersey Walk Garage Urban Renewal, LLC, 901-938 East Jersey Street, former Elizabeth General Hospital, for the major rehabilitation of a 5 story parking facility accommodating 441 parking spaces; the amendment also includes an amenity space to provide for activities for the residents; application and financial agreement would provide an Annual Service charge to the City of approximately \$57,000.00 with incremental increases in addition to the expansive parking will generate about \$60,000.00 in parking tax revenues to the City. Which was received.

By the Clerk:

Letter dated February 2, 2022, from the Director of Health and Human Services request permission to enter into an agreement with New Jersey Medical School Global Tuberculosis Institute at Rutgers Biomedical and Health Sciences to provide diagnosis, treatment, monitoring, case management and field services for residents of Elizabeth with confirmed or suspect tuberculosis disease for a period of January 1, 2022 through December 31, 2022 in the amount of \$40,960.60 plus an administrative fee of \$4,096.06 totaling \$45,056.66. Which was received.

By the Clerk:

Letter dated February 7, 2022, from the Director of Planning and Community Development request authorization for the proper City officials to execute any and all documents necessary and appropriate to enter into a contract with BGI Resource International, 80 Barclay Farm Shopping Center Suite 2, Cherry Hill, NJ to provide Municipal Lead Abatement services at the property located at 333 Chilton Street in an amount not to exceed \$20,000.00. Which was received.

By the Clerk:

Letter dated February 9, 2022, from the Director of Planning and Community Development request that your Honorable Body consider a letter of support for Magill Real Estate Holdings, LLC's , 802 East Jersey Street, Elizabeth, NJ application to the New Jersey Department of Community Affairs Affordable Housing Trust Fund to develop two properties: a 10-unit affordable housing development at 828-832 East Jersey Street in the amount of \$1,800,000.00 and a 10-unit affordable housing development at 834-836 East Jersey Street in the amount of \$1,800,000.00. Which was received.

By the Clerk:

Letter dated February 9, 2022, from the Director of Planning and Community Development request that your Honorable Body consider adopting the 581-599 Pennsylvania Ave Non-Condemnation Redevelopment Plan dated January 11, 2022. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated February 10, 2022, from the Director of Planning and Community Development request to amend the resolution adopted on March 23, 2021, executing Community Development Block Grant Funding for the period July 1, 2020 through June 30, 2021, specifically to extend the Community Development Block Grant CD46 contract end period with the Elizabeth Development Company (EDC) to June 30, 2022; the additional time will allow EDC to draw the remaining funds to assist Micro-Enterprise, and additional job training for resident of the City. Which was received.

By the Clerk:

Letter dated February 10, 2022, from the Director of Planning and Community Development request authorization to amend the resolution adopted on January 26, 2021, to provide grants for the CARES Act, Community Development Block Grant for the period of April 1, 2020 through March 31, 2021, specifically to extend the period to March 31, 2022 to allow Community Access to draw down the remaining funds allocated. Which was received.

By the Clerk:

Letter dated February 4, 2022, from the Director of Public Works request permission to have a lien placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of \$1,568.37. Which was received.

By the Clerk:

Letter dated February 4, 2022, from the Director of Public Works request permission to have a lien placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of \$5,052.87. Which was received.

By the Clerk:

Letter dated February 7, 2022, from the Director of Public Works request approval of Contract Amendment No. 1 for the contract awarded to Netta Architects, 1084 Route 22 West, Mountainside, NJ in connection with the design and construction administration for the Police Headquarters Gun Range upgrades at an original cost of \$205,500.00 plus reimbursables to provide further for additional architectural, structural, mechanical and fire protection design required to include air conditioning into the gun range; also a full study of the Police Headquarters electrical system resulting in the need to design new electric switch gear and additional structural steel on the roof to support the new units as well as the design of additional telephone and data added to the area at an additional cost not to exceed \$45,625.00 for a total contract amount of \$251,125.00. Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

ORD. NO. 5617 - An Ordinance to approve an Amendment to the Financial Agreement for a Long-Term Tax Exemption with Jersey Walk E Jersey Urban Renewal, LLC, ("E Jersey") for a project located at 901-938 East Jersey Street, consisting of tax account Block 7; Lot 312 and a portion to be condominiumized at Block 7; Lot 312; C001.

ORDINANCES ON FIRST READING (cont'd)

ORD. NO. 5618 - An Ordinance to approve an Amendment to the Financial Agreement with Jersey Walk Lafayette Urban Renewal, LLC, (“Lafayette”) for a 6-story residential development located on 901-938 East Jersey Street, (Block 7; Lot 312, and a portion to be condominiumized as Block 7; Lot 312; C002).

ORD. NO. 5619 - An Ordinance to approve an Amendment to the Financial Agreement with Jersey Walk Garage Urban Renewal, LLC, (“Garage”) for the Substantial Rehabilitation of an existing five-story parking facility including 441 parking spaces including the addition of an amenity building to provide for activities for the residents on property located at 901-938 East Jersey Street consisting of tax account Block 7; Lot 312, and a portion to be condominiumized as Block 7; Lot 312; C003.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING
ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD
TUESDAY, MARCH 8, 2022 AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5604 - An Ordinance to authorize funding for and acquisition of a portion of real property owned by record owner, Shiloh Baptist Church, designated as Block 6, Lot 682 and also known as 79-85 Murray Street, City of Elizabeth, which is required for the Elizabeth River Trail Project and Flood Control Purposes, by negotiations with record owner and, in the event of failure to reach an agreement on value or terms or conditions, by condemnation proceedings pursuant to N.J.S.A. 20:3-1 ET.SEQ.

ORD. NO. 5606 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Mario Marcucci/Alvarado, 630 Court Street, Fl. 1, Elizabeth, New Jersey.

ORD. NO. 5607 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Carmen Rodriguez, 317 John Street, Elizabeth, New Jersey.

ORD. NO. 5608 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Angela Rigo, 321 John Street, Apt. 1, Elizabeth, New Jersey.

ORD. NO. 5609 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Adrienne Green, 923 McInain Street, Elizabeth, New Jersey.

ORD. NO. 5610 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Nancy Velez, 28 Rankin Street, Elizabeth, New Jersey.

ORD. NO. 5611 - An Ordinance to rescind Ordinance No. 5268, adopted on November 26, 2019, which authorized the establishment of a personalized handicapped parking space for Graca Ruivo, 241 Clark Place, Elizabeth, New Jersey.

ORD. NO. 5612 - An Ordinance to rescind Ordinance No. 4921, adopted on October 10, 2017, which authorized the establishment of a personalized handicapped parking space for James Fordham, 579 Monroe Avenue, Elizabeth, New Jersey.

ORD. NO. 5614 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Jose Lopez, 326 Centre Street, Elizabeth, New Jersey.

ORD. NO. 5615 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Santos Lopez, 626 Fulton Street, Elizabeth, New Jersey.

ORDINANCES ON FINAL PASSAGE (Cont'd.)

ORD. NO. 5616 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Maria Hernandez, 620 Marshall Street, Apt. 1R, Elizabeth, New Jersey.

NEW BUSINESS

Adopt the Greater Elizabeth Tourism Improvement District Calendar Year 2022 Budget in the amount of \$727,417.48.

Confirm the reappointment of Roman A. Montes Esq., to serve as Presiding Judge of the Municipal Court for a term of three (3) years effective March 1, 2022.

Authorize the award of a contract to Gila, LLC, d/b/a Municipal Services Bureau (MSB), 325 Daniel Zanker Drive, Suite 3, Horseheads, N.Y., for the furnishing of credit card/electronic payment services for the City of Elizabeth for the Municipal Court Division for the period of two years from the date of the execution of the contract with an option to renew for one (1) three-year period under the same terms and conditions and authorize the proper City Officials to execute any documents in connection with the contract, in an amount not to exceed \$60,000.00 per year for the initial two-year period, unless further awarded by Council to increase.

Authorize the award of a contract to Colliers Engineering & Design d/b/a Maser Consulting P.A., 331 Newnan Springs Road, Suite 203, Red Bank, N.J., to provide the City of Elizabeth, Recreation Department with professional environmental engineering services for Mickey Walker, Jackson, Miller Evans Logan, Green Acres Spray Parks, Exleben Pool Complex and Miller Park 2021-2022 closing and reopening procedures, management, site inspections, coordination efforts on an as needed basis and authorize the proper City Officials to execute any documents in connection with the contract, in the amount of \$77,330.00.

Authorize the award of a contract to Jesco, Inc., 118 St. Nicholas Avenue, South Plainfield, N.J., for the purchase of parts, repairs, new equipment and rental for grounds equipment, through the Educational Services Commission of New Jersey, for the period February 9, 2022 through February 21, 2023, at a cost not to exceed \$250,000.00.

Authorize the award of respective contracts to Richard P. Cevasco, Ed.D, 52 Stratford Drive, Manalapan, N.J.; Lewis Z. Schlosser, PhD, ABPP; Matthew E. Guller, JD, PhD ABPP; Krista L. Dettle, PhD, Institute for Forensic Psychology, 5 Fir Court, Suite 2, Oakland, N.J., to provide psychological services for the City of Elizabeth Police and Fire Departments, for the period March 1, 2022 through February 28, 2023, at a cost not to exceed \$75,000.00 per each practice, unless further authorized by City Council.

Authorize the proper City officials to enter into and execute a contract with the Law Firm of Lum, Drasco and Positan, LLC, 103 Eisenhower Parkway, Roseland, N.J., to provide Employment Counsel Services for the City of Elizabeth, for the period March 1, 2022 through February 28, 2023, for a total cost not to exceed \$60,000.00.

Adopt a resolution approving an amendment to a Tax Exemption for Jersey Walk E Jersey Urban Renewal, LLC, ("E Jersey") 901-938 East Jersey Street, the former Elizabeth General Hospital for a six-story mixed use development consisting of 221 Market Rate Units, and 3,000 square feet of prime retail space including an expansive courtyard.

Adopt a resolution approving an amendment to a Tax Exemption for Jersey Walk Lafayette Urban Renewal, LLC, ("Lafayette") 901-938 East Jersey Street, the former Elizabeth General Hospital for a six-story residential development, consisting of 53 Market Rate Units.

Adopt a resolution approving an amendment to a Tax Exemption for Jersey Walk Garage Urban Renewal, LLC, ("Garage") 901-938 East Jersey Street, the former Elizabeth General Hospital for the major rehabilitation of a five-story parking facility accommodating 441 parking spaces including an amenity space to provide for activities for the residents.

NEW BUSINESS (cont'd)

Grant permission to enter into an Agreement with New Jersey Medical School Global Tuberculosis Institute at Rutgers Biomedical and Health Sciences (RBHS), 225 Warren Street, 2nd Floor, East Wing, Newark, N.J., to provide diagnosis, treatment, monitoring, case management and field services for City residents with confirmed or suspect of tuberculosis disease, for the period January 1, 2022 through December 31, 2022, in an amount not to exceed \$45,056.66.

Authorize the proper City Officials to execute any and all documents necessary and appropriate for a Municipal Lead Abatement Grant and to enter into a contract with BGI Resource International, 80 Barclay Farm Shopping Center, Suite 2, Cherry Hill, N.J., to provide Municipal Lead Abatement services at the property located at 333 Chilton Street, Elizabeth, N.J., in an amount not to exceed \$20,000.00.

Approve a letter of support for Magill Real Estate Holdings (MREH), LLC's, 802 East Jersey Street, Elizabeth, N.J., application for financial assistance to the New Jersey Department of Community Affairs (NJDCA) Affordable Housing Trust Fund, for the development of two properties: a 10-unit affordable housing development at 828-832 East Jersey Street, in the amount of \$1,800,000.00 and a 10-unit affordable housing development at 834-836 East Jersey Street, in the amount of \$1,800,000.00.

Amend resolution adopted March 23, 2021, executing FY2020 Community Development Block Grant (CDBG) CD46 for the period July 1, 2020 through June 30, 2021, specifically to extend the contract period for Elizabeth Development Company (EDC) to June 30, 2022 to draw the remaining CD46 funds to assist Micro -Enterprise and additional job training for City residents.

Amend resolution adopted January 26, 2021, authorizing an agreement between the City of Elizabeth and Community Access, (CARES ACT CDBG-CV3) with a contract end period of March 31, 2021, specifically to extend the contract period to March 31, 2022, to draw the remaining funds allocated to assist City of Elizabeth low/moderate residents, due to the pandemic the activity was delayed.

Establish liens for the boarding up of properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$1,568.37.

Establish liens for the removal and disposal of debris on properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$5,052.87.

Authorize Contract Amendment No. 1 – awarded with Netta Architects, 1084 Route 22 West, Mountainside, N.J., to provide professional architectural services in connection with the Design and Construction Administration for the Police Headquarters Gun Range Upgrades at an original cost of \$205,500.00 plus reimbursables, specifically to provide further for additional architectural, structural, mechanical and fire protection design required to include air conditioning into the gun range, at an additional cost not to exceed \$45,625.00, for a new total contract amount of \$251,125.00.

Authorize settlement in the worker's compensation litigation matter of *Wirkus v. the City*, in the total amount of \$20,295.00.

Pay Utility Bills

Approve Bingo and Raffle Licenses

COMMENDATIONS:

MEMORIALS:

ADJOURNMENT