

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, MARCH 12, 2019

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 5134 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for improvements to the Waterfront Park Complex located in the City of Elizabeth and appropriating 10,000,000.00 therefor, and providing for the issuance of \$9,500,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 5135 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for the reconstruction of various roads located in the City of Elizabeth and appropriating \$7,000,000.00 therefor, and providing for the issuance of \$6,650,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 5136 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for improvements to Police Headquarters, in the City of Elizabeth and appropriating \$3,000,000.00 therefor, and providing for the issuance of \$2,850,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 5137 - An Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for Elizabeth Avenue Street Streetscape improvements in the City of Elizabeth and appropriating \$2,750,000.00 therefor, and providing for the issuance of \$2,612,500.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 5138 - A Capital Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$600,000.00 for the modernization of the City Hall elevators in and for the City of Elizabeth, in the County of Union, New Jersey.
- ORD. NO. 5139 - A Capital Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$600,000.00 for the installation of traffic lights and road resurfacing in and for the City of Elizabeth, in the County of Union, New Jersey.
- ORD. NO. 5140 - A Capital Surplus Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$1,725,000.00 for the acquisition of protective equipment for the Fire Department in and for the City of Elizabeth, in the County of Union, New Jersey.
- ORD. NO. 5141 - A Capital Surplus Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$700,000.00 for the replacement of a pumper for the Fire Department in and for the City of Elizabeth, in the County of Union, New Jersey.

PUBLIC HEARINGS (Cont'd)

- ORD. NO. 5142 - A Capital Surplus Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$550,000.00 for the acquisition of two ambulances in and for the City of Elizabeth, in the County of Union, New Jersey.
- ORD. NO. 5144 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Luis Matute, 11 Florida Street, Elizabeth, New Jersey.
- ORD. NO. 5145 - An Ordinance to rescind Ordinance No. 4729, adopted on June 28, 2016, which authorized the establishment of a personalized handicapped parking space for Patricia Sanders, 35 Catherine Street, Elizabeth, New Jersey.
- ORD. NO. 5146 - An Ordinance to rescind Ordinance No. 4636, adopted on October 27, 2015, which authorized the establishment of a personalized handicapped parking space for Gloria Agudelo, 325 Amity Street, Elizabeth, New Jersey.
- ORD. NO. 5147 - An Ordinance to rescind Ordinance No. 3889, adopted on April 24, 2007, which authorized the establishment of a personalized handicapped parking space for Geronimo Murgado, 469 Fay Avenue, Elizabeth, New Jersey.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 27, 2019, from His Honor the Mayor subject to the confirmation of your Honorable Body, I herewith reappoint Roman A. Montes, Esq., 1126 Coolidge Road, Elizabeth, NJ, to serve as Presiding Judge of the Municipal Court for a term of three (3) years effective March 1, 2019.  
Which was received.

By the Clerk:

Letter dated February 27, 2019, from the Business Administrator recommending awarding a contract to Route 23 Auto Mall, 1301 Rt. 23 South, Butler, NJ for the purchase of non-OEM auto parts and accessories for light duty vehicles including, but not limited to brakes, spark plugs and filters for various departments for the period of February 25, 2019 through February 25, 2020 at a cost not to exceed \$50,000.00.  
Which was received.

By the Clerk:

Letter dated February 27, 2019, 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 22, 2019 through February 21, 2021 at a cost not to exceed \$250,000.00.  
Which was received.

By the Clerk:

Letter dated February 27, 2019, from the Business Administrator recommending awarding a contract to Buywise Auto Parts, 2087-2091 Springfield Avenue, Vauxhall, NJ for the purchase of non-OEM auto parts and accessories including, but not limited to brakes, gaskets and valves for light duty vehicles for various departments for the period of February 25, 2019 through February 25, 2020 at a cost not to exceed \$200,000.00.  
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated February 27, 2019, from the Business Administrator request authorization for the proper City officials to participate in a State Contract with Pascoack Data Service, LLC, 200 Central Avenue, Suite 100, Hawthorne, NJ for the purchase of ten (10) Dell Latitude 5424 Rugged Tablets for the Police Department at a total cost of \$29,747.56. Which was received.

By the Clerk:

Letter dated February 27, 2019, 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 February 15, 2019 through February 14, 2020 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 27, 2019, from the Business Administrator request authorization for the proper City officials to execute a Memorandum of Understanding with United Airlines, Inc. to facilitate college student internship opportunities for neighborhood residents of the City to participate in the United Summer Associate Program at Newark Liberty International Airport. Which was received.

By the Clerk:

Letter dated March 1, 2019, from the Business Administrator request authorization for the proper City officials to obtain a Flood Insurance Policy provided by American Bankers Insurance Company of Florida, through agent-of-record Otterstedt Insurance Agency, Inc., 540 Sylvan Avenue, Englewood Cliffs, NJ for the Marina Shed, Office and 519 Trenton Street pump station; a requirement by FEMA because the City accepted federal funds for Sandy related damage for the period April 22, 2019 through April 22, 2020 at an annual premium of \$3,950.00. Which was received.

By the Clerk:

Letter dated March 1, 2019, from the Business Administrator request authorization for the proper City officials to obtain a policy of insurance provided by Global Aerospace Risk Placement Services, through agent-of-record Otterstedt Insurance Agency, 540 Sylvan Avenue, Englewood Cliffs, NJ covering Liability and Property Insurance for Police Drones for the period January 31, 2019 through January 31, 2020 at an annual premium of \$5,587.00. Which was received.

By the Clerk:

Letter dated March 5, 2019, from the Chief Financial Officer advising that additional grants may be appropriated in the 2019 SFY Budget by budget amendments (Chapter 159). Which was received.

By the Clerk:

Letter dated March 5, 2019, 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.

**PETITIONS, COMMUNICATIONS, ETC. (Cont'd)**

By the Clerk:

Letter dated March 5, 2019, from the Chief Financial Officer request that your Honorable Body consider for introduction and approval the Historic Midtown Special Improvement District 2019 Six-Month Budget January 1, 2019 through June 30, 2019 totaling \$112,500.00. Which was received.

By the Clerk:

Letter dated March 5, 2019, from the Chief Financial Officer advising in compliance with the SFY 2016 Appropriations Act requires that your Honorable Body review the City's Quarterly Budget Revenues and Appropriations for the 2019 SFY 2nd quarter ending December 31, 2018. Which was received.

By the Clerk:

Letter dated March 5, 2019, from the Chief Financial Officer request that your Honorable Body consider to provide for a single and combined issue and authorize the sale of up to \$10,000,000.00 principal amount of General Improvement bonds, Series 2019; authorize advertisement of a Notice of Sale; authorize the sale and award the bonds; determining the form and other details of the bonds; and authorize other matters relating thereto. Which was received.

By the Clerk:

Letter dated February 28, 2019, from the Director of Health and Human Services request permission to coordinate an overnight field trip for the Office of Aging seniors to Washington, DC in September or November for three (3) days, two (2) nights, facilitated by Diamond Tours, Inc., 13100 Westlinks Terrace, Suite1, Fort Myers, FL, seniors will pay all expenses directly to tour company; City will send appropriate number of staff to chaperone the trip. Which was received.

By the Clerk:

Letter dated March 5, 2019, from the Director of Health and Human Services request authorization for the proper City officials to execute a lease agreement between the City of Elizabeth and Temple Community Development Corporation, Elizabeth, NJ for the facility and the rear parking area located at 630 South Street to provide infant child care services for a period of three years beginning April 1, 2019 for a fee of \$1.00 per year. Which was received.

By the Clerk:

Letter dated February 22, 2019, from the Director of Public Works requesting approval of Change Order No. 1 – Final for the contract awarded to AA Berns LLC, Belleville, NJ for the East Grand Street Streetscape Improvement Area between Commerce Place and Jefferson Avenue in the amount of \$453,830.01 specifically, for additional work at 1160, 1168, 1196, 1204 and 1209 East Grand Street; and additional work at 150-156 Jefferson Avenue in the amount of \$60,614.60 thereby increasing the amount of the contract to \$514,444.61. Which was received.

By the Clerk:

Letter dated March, 1, 2019, from the Director of Public Works recommending awarding a contract to Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, NJ to provide engineering services at a time and material basis in connection with the update of the City's Natural Hazard Mitigation Plan not to exceed \$93,000.00 plus reimbursables. Which was received.

**PETITIONS, COMMUNICATIONS, ETC. (Cont'd)**

By the Clerk:

Letter dated March 1, 2019, from the Director of Public Works requesting approval of Change Order No. 1 – Final for the contract awarded to Grade Construction, Paterson, NJ for the Elizabeth River Flood Control Project, Emergency Maintenance at a cost of \$3,575,564.22 specifically, for final quantity adjustments from estimated bid quantities to the final as-built quantities and an extension of time from the original completion date of July 24, 2016 to the actual completion and closeout date of February 22, 2019 for a total of 943 additional days in the amount of \$157,174.28 thereby decreasing the amount of the contract to \$3,418,389.94. Which was received.

By the Clerk:

Letter dated February 15, 2019, from Talon Drilling Company, 100 Lexington Avenue, Trenton, NJ request an Environmental Encroachment Permit to perform environmental work consisting of one (1) groundwater monitoring well within the right-of-way of Fanny Street. Which was received.

By the Clerk

Letter dated February 14, 2019, from 190 Union Redevelopment Urban Renewal, LLC, 307 Westfield Avenue, Suite 202, Elizabeth, NJ, on behalf of their contractor, Mas Construction, LLC, to install a temporary construction fence and ADA-compliant crosswalk and ramp within the right-of-way of West Jersey Street, Union Street, Price Street and West Grand Street. Which was received.

By the Clerk:

Letter dated February 28, 2019, from the Puerto Rican Alliance of Elizabeth request permission to host a small festival to be held on July 14, 2019 at Veteran's Memorial Park between Marshall Street and Elizabeth Avenue from 1:00 p.m. to 8:00 p.m.; licensing fee be waived. Which was received.

**REPORTS OF CITY OFFICERS**

By the Clerk:

Letter dated February 21, 2019, from the City Treasurer submitted the City Treasurer's Report of Receipts and Disbursements for the month of November 2018 and Statement of Bank Balances and Investments as of November 30, 2018.

**ORDINANCES ON FIRST READING**

ORD. NO. 5151 -

An Ordinance granting an Encroachment Permit to Talon Drilling Company, 100 Lexington Avenue, Trenton, New Jersey for the installation of one (1) off-site groundwater monitoring well in the sidewalk area in front of 1141-1147 Fanny Street, a/k/a "Kenah Field", for the purpose of ongoing environmental remediation investigation activities for the proposed Baker Center Redevelopment site.

ORD. NO. 5152 -

An Ordinance granting an Encroachment Permit to 190 Union Redevelopment Urban Renewal, LLC, 307 Westfield Avenue, Suite 202, Elizabeth, New Jersey on behalf of its contractor, Mas Construction, LLC, P.O. Box 778, Elizabeth, New Jersey to install a temporary construction fence and ADA-compliant crosswalk and ramp within the public right-of-way of West Jersey Street, Union Street, Price Street, and West Grand Street during the construction of the building on Midtown Redevelopment Parcel D.

ORDINANCES ON FIRST READING (cont'd)

ORD. NO. 5153 - An Ordinance to authorize the renewal of a Lease Agreement with Temple Community Development Corporation, (Temple CDC) for premises located at 630 South Street, Elizabeth, New Jersey, to be used to provide daycare and child care services for a three (3) year period at \$1.00 per year beginning April 1, 2019.

ORD. NO. 5154 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Jorge Martin, 592 Adams Avenue, Elizabeth, New Jersey.

**PUBLIC HEARING AND FUTHER CONSIDERATION OF THE FOREGOING  
ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD  
TUESDAY, MARCH 26, 2019 AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5134 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for improvements to the Waterfront Park Complex located in the City of Elizabeth and appropriating 10,000,000.00 therefor, and providing for the issuance of \$9,500,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.

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ORD. NO. 5136 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for improvements to Police Headquarters, in the City of Elizabeth and appropriating \$3,000,000.00 therefor, and providing for the issuance of \$2,850,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.

ORD. NO. 5137 - An Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for Elizabeth Avenue Street Streetscape improvements in the City of Elizabeth and appropriating \$2,750,000.00 therefor, and providing for the issuance of \$2,612,500.00 in Bonds or Notes of the City of Elizabeth to finance the same.

ORD. NO. 5138 - A Capital Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$600,000.00 for the modernization of the City Hall elevators in and for the City of Elizabeth, in the County of Union, New Jersey.

ORD. NO. 5139 - A Capital Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$600,000.00 for the installation of traffic lights and road resurfacing in and for the City of Elizabeth, in the County of Union, New Jersey.

ORD. NO. 5140- A Capital Surplus Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$1,725,000.00 for the acquisition of protective equipment for the Fire Department in and for the City of Elizabeth, in the County of Union, New Jersey.

ORD. NO. 5141 - A Capital Surplus Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$700,000.00 for the replacement of a pumper for the Fire Department in and for the City of Elizabeth, in the County of Union, New Jersey.

**ORDINANCES ON FINAL PASSAGE (Cont'd.)**

- ORD. NO. 5142 - A Capital Surplus Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$550,000.00 for the acquisition of two ambulances in and for the City of Elizabeth, in the County of Union, New Jersey.
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- ORD. NO. 5146 - An Ordinance to rescind Ordinance No. 4636, adopted on October 27, 2015, which authorized the establishment of a personalized handicapped parking space for Gloria Agudelo, 325 Amity Street, Elizabeth, New Jersey.
- ORD. NO. 5147 - An Ordinance to rescind Ordinance No. 3889, adopted on April 24, 2007, which authorized the establishment of a personalized handicapped parking space for Geronimo Murgado, 469 Fay Avenue,

**NEW BUSINESS**

**MOTION TO REMOVE FROM THE TABLE**

- Adopt a resolution in support of the proposed New Jersey Department of Transportation's (NJDOT) proposed limited scope resurfacing project of Route 27 from De Hart Place to Route 21 to be completed around September 2023.
- In compliance with SFY 2016 Appropriations Act (Best Practices Requirement), City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.
- In compliance with the SFY 2016 Appropriations Act, City Council is requested to review the Quarterly 2019 SFY Budget Revenues and Appropriations 2<sup>nd</sup> quarter ending December 31, 2018.
- Introduce and approve the Midtown Elizabeth Special Improvement District Calendar 2019 Six-Month Budget January 1, 2019 to June 30, 2019, in the amount of \$112,500.00.
- (PUBLIC HEARING AND FURTHER CONSIDERATION TO BE HELD TUESDAY EVENING, APRIL 9, 2019.)**
- Confirm the reappointment of Honorable Roman A. Montes Esq., 1126 Coolidge Road, Elizabeth, N.J., to serve as Presiding Judge of the Municipal Court for a term of three (3) years effective March 1, 2019.
- Authorize the award of a contract to Route 23 Auto Mall, 1301 Route 23 South, Butler, N.J., for non-OEM auto parts and accessories for light duty vehicles for various departments for the period February 25, 2019 through February 25, 2020, at a cost not to exceed \$50,000.00.
- 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 rentals for grounds equipment, through the Educational Services Commission of New Jersey for the period February 22, 2019 through February 21, 2021, at a cost not to exceed \$250,000.00.

NEW BUSINESS (cont'd)

Authorize the award of a contract to Buywise Auto Parts, 2087-2091 Springfield Avenue, Vauxhall, N.J., for non-OEM auto parts and accessories for light duty vehicles for various departments for the period February 25, 2019 through February 25, 2020, at a cost not to exceed \$200,000.00.

Authorize the award of a contract to Pascack Data Service, LLC, 200 Central Avenue, Suite 100, Hawthorne N.J., for the purchase of ten (10) Dell Latitude 5424 Rugged Tablets for the Police Department, at a total cost of \$29,747.56.

Authorize the proper City officials to enter into and execute an agreement with the Law Firm of Lum, Drasco and Positan, LLC., 103 Eisenhower Parkway, Roseland, N.J., to provide the City with Employment Counsel Services for the period February 15, 2019 through February 14, 2020, at a cost not to exceed \$60,000.00.

Authorize the proper City officials to enter into and execute all documents pertaining to a Memorandum of Understanding (MOU) with United Airlines, Inc., in order to facilitate college student internship opportunities for Elizabeth residents through the United Summer Associate Program (USA Program) at Newark Liberty International Airport.

Authorize the award of a contract to American Bankers Insurance Company of Florida, 11222 Quail Roost Dr., Miami, Florida, through the agent-of-record, Otterstedt Insurance Agency, to obtain a flood insurance policy covering the Marina Shed and Office Building located at 63-99 Front Street and 519 Trenton Avenue Pump Station for the period April 22, 2019 through April 22, 2020, at an annual premium of \$3,950.00.

Authorize the proper City officials to approve a Policy of Insurance with Global Aerospace Risk Placement Services, 6625 W 78<sup>th</sup> Street, Minneapolis, MN, through the agent-of-record, Otterstedt Insurance Agency, to obtain an insurance policy covering Liability and Property Insurance for Police Drones for the period January 31, 2019 through January 31, 2020, at an annual premium of \$5,587.00.

Authorize a resolution of the City of Elizabeth providing for a single and combined issue and authorizing the sale of up to \$10,000,000.00 principal amount of General Improvement Bonds, Series 2019; Authorizing advertisement of a Notice of Sale; Authorizing the sale and award of the bonds; Determining the form and other details of the bonds; and authorizing other matters relating thereto.

Grant permission for the Department of Health and Human Services, through the Office of Aging to coordinate an overnight field trip for senior citizens to Washington, DC, in September or November, 2019 for three (3) days, two (2) nights facilitated by Diamond Tours, Inc., 13100 Westlinks Terrace, Suite 1, Fort Myers, FL, all seniors attending the trip will pay for all expenses directly to the tour company.

Authorize Change Order No. 1- Final to the contract awarded to AA Berms LLC, 106 Mill Street, Belleville, N.J., in connection with the East Grand Street Streetscape Improvement area in the amount of \$453,830.01, specifically for additional work performed, at 1160, 1168, 1196, 1204, and 1209 East Grand Street and at 150-156 Jefferson Avenue in the amount of \$60,614.60, for a new contract amount of \$514,444.61.

Authorize the award of a contract to Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, N.J., to provide engineering services on a time and materials basis in connection with the update of the City's Natural Hazard Mitigation Plan, at a cost not to exceed \$93,000.00 plus reimbursables.

Authorize Change Order No. 1- Final to the contract awarded to Grade Construction, 110 Pennsylvania Avenue, Paterson, N.J., for Elizabeth River Flood Control Project, Emergency Maintenance in the amount of \$3,575,564.22, specifically for final quantity adjustments from estimated bid quantities to the final as-built quantities and an extension of time from the original completion date of July 24, 2016 to the actual completion and closeout date of February 22, 2019 in the amount of \$157,174.28, decreasing the amount of contract for a new contract amount of \$3,418,389.94.



**NEW BUSINESS (cont'd)**

Designate May 28, 2019 as “Youth in City Government Day” and appoint Councilwoman Patricia Perkins-Auguste as Chairman of said affair.

Permit the Puerto Rican Alliance of Elizabeth, 137 Court Street, Elizabeth, N.J., with the City of Elizabeth as a co-sponsor to host a Cultural Festival/Parade to be held July 14, 2019, at Veteran’s Memorial Park from 1:00 p.m. to 8:00 p.m., with set-up time of 9:00 a.m. for vendors and stage, waiving all fees.

Urge the United States Congress to support the following measures: Enactment of a ban on the sale, importation, transfer, and ownership of “assault firearms”.

Pay Utility Bills

**COMMENDATIONS:**

Ms. Story Thompson  
Ms. Tiffany Baskerville  
Dr. Kevin O. Clarke  
Mrs. Evela Hodge Miller  
Honorable Jamel C. Holley  
Ms. Debbie-Ann Anderson  
Mr. Kwao Taylor

)National Council of  
) Negro Women  
) 14<sup>th</sup> Annual  
)Harambee Breakfast  
) Honorees

Elizabeth High School Varsity Basketball Team

**MEMORIALS:**

George W. Devanney, Jr.  
Diodato “Dee” Francesco Villani  
Aretha J. Coachman

**ADJOURNMENT**