

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, APRIL 25, 2023

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. 5832- An Ordinance to repeal Chapter 17.44, Entitled "Flood Damage Prevention" of the Land Development Code in its entirety and replacing it with New Chapter 17.44 entitled "Floodplain Management Regulations".
(**PLANNING BOARD RECOMMENDATION.**)

ORD. NO. 5835 - An Ordinance approving the Financial Agreement for a Long-Term Tax Exemption with 891 Newark Avenue Urban Renewal LLC, for a project located at 891 Newark Avenue Block 192 lots 2 and 3 as described in the application for the tax exemption.

PUBLIC HEARING REGARDING ORD. 5836 LISTED BELOW, HAS BEEN CANCELLED

ORD. NO. 5836 - An Ordinance to amend Chapter 5.26 of the Code of the City of Elizabeth entitled "Cannabis Establishments" specifically to clarify that the license to be issued is municipal in nature, disallow cannabis consumption areas, remove preferential treatment for microbusinesses, enlarge the time for application review, clarify the requirements for initial licensure, and require Police Department access to surveillance systems.

ORD. NO. 5837 - An Ordinance to authorize the establishment of a personalized handicapped parking space for JoAnne Pryor, 844 Livingston Street, Elizabeth, New Jersey.

ORD. NO. 5838 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Christopher Nelson, 746 Trumbull Street, Elizabeth, New Jersey.

ORD. NO. 5839 - An Ordinance to rescind Ordinance No. 4984, adopted on February 27, 2018, which authorized the establishment of a personalized handicapped parking space for Mirna Cabrera, 608 Marshall Street, Elizabeth, New Jersey.

ORD. NO. 5840 - An Ordinance to rescind Ordinance No. 5260, adopted on November 12, 2019, which authorized the establishment of a personalized handicapped parking space for Maria Cascao, 753 Ogden Street, Elizabeth, New Jersey.

ORD. NO. 5841 - An Ordinance to rescind Ordinance No. 5730, adopted on October 11, 2022, which authorized the establishment of a personalized handicapped parking space for Clara Ortiz, 57 Delaware Street, Elizabeth, New Jersey.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 6, 2023, from the Business Administrator request authorization for the proper City officials to apply, accept and sign all appropriate documents for the Cops Hiring Program grant; anticipated funding the Elizabeth Police Department will increase community police patrols throughout the City's six wards, improving the ability to address concerns and deliver services through creating collaborative working relationships with resident for an amount not to exceed \$5,000,000.00. Which was received.

By the Clerk:

Letter dated April 12, 2023, from the Business Administrator recommending awarding a contract to W. E. Timmerman Co., Inc., 3554, Route 22 West, Whitehouse, NJ to purchase parts and repairs for Class 4-8 Elgin Sweepers for the period of April 5, 2023 through June 30, 2023 at a cost not to exceed \$150,000.00. Which was received.

By the Clerk:

Letter dated April 12, 2023, from the Business Administrator recommending awarding a contract to PMC Associates Wireless Communications, 8 Crown Plaza, Unit 106, Hazlet, NJ for the purchase of computer tablets for Police vehicles at the total cost of \$95,975.03. Which was received.

By the Clerk:

Letter dated April 12, 2023, from the Business Administrator recommending awarding a contract to BFI, 10 Lanidex Center West, Parsippany, NJ for the purchase of additional furniture needed for the Dormitory at the Elizabeth Fire Department Headquarters in the amount of \$8,378.16. Which was received.

By the Clerk:

Letter dated April 12, 2023, from the Business Administrator recommending awarding a contract to Garden State Highway Products, 301 Riverside Drive, Building D, Millville, NJ for Break Away U-Post and Sign Supports, including, but not limited to materials for street signs for the Public Works Department for the period of March 30, 2023 through March 30, 2024 at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated April 12, 2023, from the Business Administrator recommending awarding a contract to Maffey's Security Group, 1172 East Grand Street, Elizabeth, NJ for the purchase of Locksmith Services and Locking Hardware for various departments for the period of April 20, 2023 through April 20, 2024 at a cost not to exceed \$200,000.00. Which was received.

By the Clerk:

Letter dated April 13, 2023, from the Business Administrator recommending awarding a contract to National Fuel Oil, Inc., 175 Orange Street, Newark, NJ for the purchase of diesel fuel for the Public Works Marina for the period of March 31, 2023 through March 31, 2024 at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated April 13, 2023, from the Business Administrator recommending awarding a contract to Garden State Fireworks, 383 Carlton Road, Millington, NJ to provide a Fourth of July Fireworks Display for the Department of Recreation in the amount of \$22,000.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated April 13, 2023, from the Business Administrator recommending awarding a contract to Johnston Communications, 322 Belleville Tpke., North Arlington, NJ for the purchase of cameras, camera networking equipment and camera radio equipment for the Elizabeth Police Department during the period of March 28, 2023 through March 28, 2024 at a cost not to exceed \$250,000.00. Which was received.

By the Clerk:

Letter dated April 13, 2023, from the Business Administrator recommending awarding a contract to SciAps, 7 Constitution Way, Woburn MA for the furnishing of a Lead Paint Analyzer for the Department of Health and Human Services in the amount of \$27,150.00. Which was received.

By the Clerk:

Letter dated April 13, 2023, from the Business Administrator recommending awarding a contract to Talkspace Network, LLC – Delaware Limited Liability Corporation, 2578 Broadway #607, New York, NY for the purchase of professional services for Talk Therapy for residents to support emotional well-being for the period of one year from the date of the award; with the option to be expanded as necessary, in the total amount not to exceed \$100,000.00. Which was received.

By the Clerk:

Letter dated April 14, 2023, from the Business Administrator recommending awarding a contract to SHI International Corp., 290 Davidson Avenue, Somerset, NJ and GovPilot, 79 Hudson Street, Suite 503, Hoboken, NJ to purchase the annual renewal of the Unlimited GovPilot Software package for a customizable civic engagement platform to continue serving the residents, businesses and visitors of the City of Elizabeth for the period of May 1, 2023 through April 30, 2024 in the amount not to exceed \$250,000.00. Which was received.

By the Clerk:

Letter dated April 14, 2023, from the Business Administrator recommending awarding a contract to American Wear, Inc., 261 North 18th Street, East Orange, NJ for the furnishing of rental of work clothes for the Departments of Public Works, Recreation, Health's Animal Shelter, Police Department's Garage Mechanics and various undetermined locations as the need arises for a period of three (3) years commencing on the date of the award in an amount not to exceed \$150,000.00. Which was received.

By the Clerk:

Letter dated April 18, 2023, from the Chief Financial Officer advising that additional grants may be appropriated in the 2023 SFY Budget by budget amendments (Chapter 159). Which was received.

By the Clerk:

Letter dated April 18, 2023, from the Chief Financial Officer advising that 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 April 18, 2023, from the Chief Financial Officer recommends that your Honorable Body request of the Director of the Division of Local Finance to make changes in the 2023 Municipal Budget to account for the City's local share of grants (Chapter 159) approved after the adoption of the budget. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated April 18, 2023, from the Chief Financial Officer request that your Honorable Body consider the approval of a Capital Improvement Fund ordinance authorizing the acquisition of various equipment for the Fire Department, a Swift Water Rescue Equipment and Driving Simulation System in the amount of \$350,000.00. Which was received.

By the Clerk:

Letter dated April 18, 2023, from the Chief Financial Officer request that your Honorable Body consider a resolution determining the form and other details of its Phase II, Phase III, and Phase IV Notes, each entitled "Note relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank", to be issued in the principal amount of up to \$6,315,000.00, \$27,040,000.00 and \$4,205,000.00, respectively, and providing for the issuance and sale of such notes to the New Jersey Infrastructure Bank, and authorizing the execution and delivery of such notes by the City of Elizabeth in favor of the New Jersey Infrastructure Bank, all pursuant to the New Jersey Infrastructure Bank Water Bank Construction Financing Program. Which was received.

By the Clerk:

Letter dated April 14, 2023, from the Director of Planning and Community Development request authorization for the Planning Board to review and comment on Ordinance No. 5836, which is to amend Chapter 5.26 of the Code of the City of Elizabeth entitled "Cannabis Establishments" and Chapter 17.36.210 entitled "Cannabis Overlay Zones. Which was received.

By the Clerk:

Letter dated April 13, 2023, from the Director of Public Works request permission to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of \$731,115. Which was received.

By the Clerk:

Letter dated April 13, 2023, from the Director of Public Works request permission to have liens placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of \$2,845,777. Which was received.

By the Clerk:

Letter dated April 13, 2023, from the Director of Public Works recommending awarding a contract to Picerno-Giordano Construction, LLC, 200 Market Street, Kenilworth, NJ for the Sixth Street Park Improvement at a cost of \$2,171,640.00; project will be partially funded by the American Rescue Plan in the amount of \$1,000,000.00 and a matching grant from the 2021 Union County Kids Recreation Trust Program in the amount of \$150,000.00. Which was received.

By the Clerk:

Letter dated April 14, 2023, from the Director of Public Works recommending awarding a contract to Johnson, Mirmiran & Thompson, Inc., 1200 Lenox Drive, Suite 101, Trenton, NJ to provide civil engineering design services in connection with traffic signal design and construction inspection at the intersections of South Street at Fourth Avenue and the intersection of Grove Street at Murray Street on a lump sum basis in the amount of \$143,369.00 and reimbursables expenses for test pits in the amount of \$16,000.00, bidding and construction services will be on a time and expenses in the amount of \$54,490.00 not to exceed \$213,859.00 plus reimbursables. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated April 14, 2023, from the Director of Public Works recommending awarding a contract to Diaco Contracting, Inc., d/b/a Grade Construction, 110 Pennsylvania Avenue, Paterson, NJ for the Elizabeth River Trail Phase 4 consisting of two sections: base bid from South Broad Street to Rahway Avenue and Alternate 1 from Murray Street to West Jersey Street in the amount of \$2,950,091.04; City has received a grant from the H.U.D. Community Development Block Grant Disaster Recovery Funds administered by the NJ Economic Development Authority in the amount of \$2,101,270.96 for this phase; subject to approval and authorization by the NJ Economic Development Authority. Which was received.

By the Clerk:

Letter dated April 13, 2023, from the Executive Director of the Parking Authority of the City of Elizabeth requesting that your Honorable Body consider the appointment of Pedro A. Rosa, 1018 Laura Street, Elizabeth, NJ as a Parking Enforcement Officer. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated April 10, 2023 from the City Treasurer submitted the City Treasurer's Report of Receipts and Disbursements for the month of January 2023 and Statement of Bank Balances and Investments as of January 31, 2023. Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 5842- A Capital Improvement Fund Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$350,000.00 for Fire Department equipment.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, MAY 23, 2023 AT 2:00 P.M. (YOUTH IN CITY GOVERNMENT DAY)

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5832- An Ordinance to repeal Chapter 17.44, Entitled "Flood Damage Prevention" of the Land Development Code in its entirety and replacing it with New Chapter 17.44 entitled "Floodplain Management Regulations".
(PLANNING BOARD RECOMMENDATION.)

ORD. NO. 5835 - An Ordinance approving the Financial Agreement for a Long-Term Tax Exemption with 891 Newark Avenue Urban Renewal LLC, for a project located at 891 Newark Avenue Block 192 lots 2 and 3 as described in the application for the tax exemption.

ORD. NO. 5837 - An Ordinance to authorize the establishment of a personalized handicapped parking space for JoAnne Pryor, 844 Livingston Street, Elizabeth, New Jersey.

ORD. NO. 5838 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Christopher Nelson, 746 Trumbull Street, Elizabeth, New Jersey.

ORD. NO. 5839 - An Ordinance to rescind Ordinance No. 4984, adopted on February 27, 2018, which authorized the establishment of a personalized handicapped parking space for Mirna Cabrera, 608 Marshall Street, Elizabeth, New Jersey.

ORDINANCES ON FINAL PASSAGE (Cont'd.)

ORD. NO. 5840 - An Ordinance to rescind Ordinance No. 5260, adopted on November 12, 2019, which authorized the establishment of a personalized handicapped parking space for Maria Cascao, 753 Ogdan Street, Elizabeth, New Jersey.

ORD. NO. 5841 - An Ordinance to rescind Ordinance No. 5730, adopted on October 11, 2022, which authorized the establishment of a personalized handicapped parking space for Clara Ortiz, 57 Delaware Street, Elizabeth, New Jersey.

NEW BUSINESS

Authorize an amendment to the 2023 Fiscal Year Capital Budget in the amount of \$350,000.00.

Authorize an amendment to the Fiscal Year 2023 Budget to insert, as an item of Revenue, the Local Public Health Overdose Fatality Review Team 2023 awarded by the State of New Jersey Department of Health, in the amount of \$75,000.00.

Authorize an amendment to the Fiscal Year 2023 Budget to insert, as an item of Revenue, the NPP Colombian District Implementation Plan Increase awarded by the NPP COVID-19 Relief and Recovery Program Grant 2019, in the amount of \$125,000.00.

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.

Authorize the proper City officials to apply, accept, and execute all appropriate documents for the COPS Hiring Program (CHP) grant to seek new Police Officers, through this grant opportunity the Elizabeth Police Department will increase community police patrols throughout the City, improving the ability to address concerns and deliver services through creating collaborative working relationships with residents, for an amount not to exceed \$5,000,000.00.

Authorize the award of a contract to W.E. Timmerman Co., Inc., 3554 Route 22 West, Whitehouse, N.J., for the purchase of Parts and Repairs for Class 4-8 Trucks (Elgin Sweepers) through the Educational Services Commission of NJ for the period April 5, 2023 through June 30, 2023, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to PMC Associates Wireless Communications, 8 Crown Plaza, Unit 106, Hazlet, NJ, for the purchase Computer Tablets for Police Vehicles through the Hunterdon County Educational Services Commission, at the total cost of \$95,975.03.

Authorize the award of a contract to BFI, 10 Lanidex Center West, Parsippany, N.J., for the purchase of additional Furniture needed at the Elizabeth Fire Department Headquarters Dormitory, in the amount of \$8,378.16.

Authorize the award of a contract to Garden State Highway Products, 301 Riverside Drive, Building D, Millville, N.J., for Breakaway U-Post and Sign Supports including, but not limited to Materials for Street Signs for the Public Works Department for the period March 30, 2023 through March 30, 2024, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Maffey's Security Group, 1172 East Grand Street, Elizabeth, N.J., for the purchase of Locksmith Services and Locking Hardware for various departments through the Union County Co-Op for the period April 20, 2023 through April 20, 2024, at a cost not to exceed \$200,000.00.

Authorize the award of a contract to Garden State Fireworks, 383 Carlton Road, Millington, N.J., for the provision of a Fourth of July Fireworks Display for the Department of Recreation, in the amount of \$22,000.00.

NEW BUSINESS (cont'd)

Authorize the award of a contract to Johnston Communications Voice & Data, 322 Belleville Turnpike, North Arlington, N.J., for the purchase of Cameras, Camera Networking Equipment, and Camera Radio Equipment for the Elizabeth Police Department through the Union County Co-Op for the period March 28, 2023 through March 28, 2024, in the amount not to exceed \$250,000.00.

Authorize the award of a contract to SciAps, 7 Constitution Way, Woburn, MA, for the provision of a Lead Paint Analyzer for the Department of Health and Human Services, in the amount of \$27,150.00.

Authorize the award of a contract to Talkspace Network, LLC – Delaware Limited Liability Corporation, 2578 Broadway #607, New York, N.Y., for the purchase of Professional Service - Talk Therapy for residents to support emotional well-being for the period of one (1) year from the date of award; with the option to be expanded as necessary, in the total amount not to exceed \$100,000.00.

Authorize the award of respective contracts to SHI International Corp., 290 Davidson Avenue, Somerset, N.J., and GovPilot, 79 Hudson Street, Suite 503, Hoboken, N.J., to purchase the annual renewal of the Unlimited GovPilot Software Package for a Customizable Civic Engagement Platform to continue serving the residents, businesses, and visitors for the City of Elizabeth, through the Bergen County Co-op for the period May 1, 2023 through April 30, 2024, in the amount not to exceed \$250,000.00.

Authorize the award of a contract to American Wear, Inc., 261 North 18th Street, East Orange, N.J., for the provision of renting work clothes for the Department of Public Works, Recreation, Health (Animal Shelter), Police (Garage Mechanics), and various undetermined divisions of said departments as the need arises for a period of three (3) years commencing on the date of the award, in an amount not to exceed \$150,000.00.

Adopt a resolution of the City of Elizabeth, in the County of Union, New Jersey, Determining the Form and Other Details of its Phase II, Phase III, and Phase IV Notes, each entitled “Note relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank”, to be issued in the principal amount of up to \$6,315,000.00, 27,040,000.00 and \$4,205,000.00 respectively, and providing for the issuance and sale of such Notes to the New Jersey Infrastructure Bank, and authorizing the execution and delivery of such Notes by the City of Elizabeth in favor of the New Jersey Infrastructure Bank, all pursuant to the New Jersey Infrastructure Bank Water Bank Construction Financing Program.

Authorize the Planning Board to review and comment on Ordinance No. 5836, which is to amend Chapter 5.26 of the Code of the City of Elizabeth entitled “Cannabis Establishments” and Chapter 17.36.210 entitled “Cannabis Overlay Zones”.

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 \$731,115.

Establish liens for the removal and disposal of debris from properties listed on Schedule A on file in the City Clerk’s Office, in the total amount of \$2,845.77.

Authorize the award of a contract to Picerno - Giordano Construction, LLC, 200 Market Street, Kenilworth, N.J., for the Sixth Street Park Improvements, 552-562 Fulton Street, at a total cost of \$2,171,640.00.

Authorize the award of a contract to Johnson, Mirmiran & Thompson, Inc. 1200 Lenox Drive, Suite 101, Trenton, N.J., to provide civil engineering design services in connection with the traffic signal design and construction inspection at the intersections of South Street at Fourth Avenue and the intersection of Grove Street at Murray Street on a lump sum basis in the amount of \$143,369.00 and reimbursable expenses for test pits in the amount of \$16,000.00, bidding and construction services on a time and material basis for actual time and expenses in the amount of \$54,490.00, for the total cost of \$213,859.00 plus reimbursables.

NEW BUSINESS (cont'd)

Authorize the award of a contract to Diaco Contracting, Inc., d/b/a Grade Construction, 110 Pennsylvania Avenue, Paterson, N.J., for the Elizabeth River Trail Phase 4, consisting of two sections: Base bid from South Broad Street to Rahway Avenue and Alternate 1 from Murray Street to West Jersey Street, at a cost of \$2,950,091.04.

Establish a handicapped parking space in front of the premises located at 1025 Emma Street, Elizabeth, New Jersey.

Appoint Pedro A. Rosa, 1018 Laura Street, Elizabeth, N.J., as a Parking Enforcement Officer for the Parking Authority of the City of Elizabeth.

Authorize the settlement in the litigation matter of Olivaria v. the City of Elizabeth, in the total amount of Twenty-five Thousand Dollars xx/100 (\$25,000.00).

Pay Utility Bills.

Approve Bingo and Raffle Licenses.

COMMENDATIONS:

Doreen A. Rinaldo)Recognized for Sacrificing her time
)and resources for others in need

Olga's Place)Celebrating 25 years of Business

Leonel Batista Mendez

Zariah Bello

Ashley Bustos

Soreya Diaz

Wilfredo Guevara Villatoro

Sujana Habib

Maxwinie Oparanozie

Annie Quijada

Brianna Reyes Amaya

Arianna Rodriguez

Crisiliani Cabrera

Elisha Cadet

Melvin Cardoza Perez

Sumoya Carrol

Anderson Castro-Villegas

Anahi Duarte

Frandy Francisco Perez

John Franco

Malikai Fullwood

Genesis Gomez

Ruth Martinez-Molina

Angel Rivera

)George Washington Academy

)National Junior Honor Society

) Inductees

MEMORIALS:

Andre M. Pereira

ADJOURNMENT