CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, JUNE 22, 2021

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 5489 - An Ordinance to amend Chapter 10.08.090, Schedule II, of the Code of the City of Elizabeth, entitled "Stop Intersections", specifically to establish stop intersections at Service Drive and Trotter Lane, and Vista Avenue and Highland Avenue.

ORD. NO. 5490 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Valyntina Garcia, 149 Clark Place, Elizabeth, New Jersey.

ORD. NO. 5491 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Vanessa Arias-Hernandez, 313 Fulton Street, Elizabeth, New Jersey.

ORD. NO. 5492 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Sujeyri Cespedes, 432 Franklin Street, Elizabeth, New Jersey.

ORD. NO. 5493 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Miriam Grullen, 535 Franklin Street, Elizabeth, New Jersey.

ORD. NO. 5494 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Odalis Alcaide, 36 Rankin Street, Elizabeth, New Jersey.

ORD. NO. 5495 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Henry Woltz II, 1014 Emma Street, Elizabeth, New Jersey.

ORD. NO. 5496 - An Ordinance to rescind Ordinance No. 4750, adopted on September 13, 2016, which authorized the establishment of a personalized handicapped parking space for Anthony L. Opalach, 475 Fay Avenue, Elizabeth, New Jersey.

ORD. NO. 5497 - An Ordinance to rescind Ordinance No. 5168, adopted on April 23, 2019, which authorized the establishment of a personalized handicapped parking space for Ricardo Rodriguez, 50 Reid Street, Elizabeth, New Jersey.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:


Which was received.
PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:
Letter dated June 10, 2021, from the Business Administrator request authorization to renew the policy of insurance with Hartford Insurance Company, Hartford, CT through the agent-of-record, Hughes-Plumer Associates, covering Auxiliary Police Officers for the period of July 1, 2021 to June 30, 2022 at an annual premium of $340.00. Which was received.

By the Clerk:
Letter dated June 11, 2021, from the Business Administrator recommending awarding respective contracts with Exemplis Corp., c/o BFI, 6415 Katella Avenue, Cypress, CA in the amount of $7,573.24 and OFS Sales Corp., c/o BFI, 1204 East 5th Street, Huntingburg, IN in the amount of $5,010.30 for the purchase of tables and chairs for the Elmore Racquet Club totaling $12,583.54. Which was received.

By the Clerk:
Letter dated June 11, 2021, from the Business Administrator request authorization for the proper City officials to enter into respective agreements with Johnson, Mirmiran and Thompson (JMT), 1200 Lenox Drive, Suite 101, Trenton, NJ and Dynamic Traffic, 1904 Main Street, Lake Como, NJ for professional on-call/emergency traffic engineering services for the City of Elizabeth for the period from July 1, 2021 through June 30, 2022 in an amount not to exceed $50,000.00 for each firm. Which was received.

By the Clerk:
Letter dated June 11, 2021, from the Business Administrator request authorization for the proper City officials to participate in a sixty (60) day Automatic License Plate Recognition (ALPR) Pilot period with Flock Group, Inc., 1170 Howell Mill Road NW, Suite 210, Atlanta, GA from August 1, 2021 through September 29, 2021 with an option to cancel the Pilot period without cost; after the Pilot period expires and the Elizabeth Police Department wishes to continue with Flock Service, a 24 month initial term would begin September 30, 2021 at the cost of $68,750.00 for the first year and $62,500.00 for the second year for Elizabeth Police Department access to Flock’s software and 25 Automatic License Plate Recognition cameras to be placed in all wards of the City; in addition request authorization to allow the proper City officials to execute an agreement in the event they wish to continue the use of Flock Services after the expiration of the sixty (60) day Pilot period and any other documents in connection with this agreement. Which was received.

By the Clerk:
Letter dated June 11, 2021, from the Business Administrator advising that being satisfied that an emergency did exist recommends the award of a contract to Stericycle, Inc., 2333 Waukegan Road, Suite 300, Bannockburn, IL for the disposal of regulated medical waste as a result of the Vaccine Program for the prevention of the Corona Virus in the amount of $6,999.72. Which was received. F.I.O.

By the Clerk:
Letter dated June 9, 2021, from the City Attorney request to ratify his authority to file the appeals on the North Avenue East, LLC, 1-71 North Avenue East, Elizabeth that is deemed to be substantially under assessed for the years 2014, 2015, 2016, 2017, 2018, 2019, 2020 and 2021. Which was received.

By the Clerk:
Letter dated June 1, 2021, from the Chief Financial Officer request authorization for the City Treasurer to cancel the tax credits in the amount of $158,820.74 as set forth in the attached schedule for tax year 2013 and the sum of $158,820.74 be credited to Miscellaneous Revenue not anticipated; should any payee presenting adequate proof of payment at a future date, the City Treasurer is hereby authorized to issue a replacement check in the same amount and to charge the amount thereof to the contingent account. Which was received.
PETITIONS, COMMUNICATIONS, ETC. (Cont’d)

By the Clerk:
Letter dated June 1, 2021, from the Chief Financial Officer request authorization for the City Treasurer to cancel the premiums totaling the amount of $72,200.00 as set forth in the attached schedule that are in excess of five (5) years old and the sum of $72,200.00 be credited to Miscellaneous Revenue not anticipated. Which was received.

By the Clerk:
Letter dated June 4, 2021, from the Chief Financial Officer request authorization for the Tax Collector to cancel said disallowed Senior Citizen deductions as per the delineated lists for the Tax Year 2020 in the amount of $3,750.00. Which was received.

By the Clerk:
Letter dated June 15, 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 June 15, 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 June 15, 2021, from the Chief Financial Officer advising that transfers for the 2021 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:
Letter dated June 15, 2021, from the Chief Financial Officer advising that Emergency Medical Services open accounts receivable balances deemed uncollectible must be canceled in accordance with the recommendation of our City Auditor, Louis C. Mai, CPA & Associates; cancellation of EMS receivables does not preclude the acceptance of any future payments. Which was received.

By the Clerk:
Letter dated June 15, 2021, from the Chief Financial Officer request that your Honorable Body consider the adoption of the 2022 SFY Municipal, Sewer Utility and Capital Temporary Budgets at the start of the 2022 SFY (7/1/21) to avert a shutdown of City operations on July 31, 2021 at a Special Meeting to be held July 6, 2021 immediately before the Regular Conference in order to adopt the 2022 SFY Temporary Municipal, Sewer, and Capital Budgets in addition to an ordinance to exceed the 2022 SFY Appropriation “CAP” up to three and one-half (3.5%) percent and include possible municipal and utility 2021 SFY Transfers and 2022 SFY Temporary Emergency Appropriations if these items are required. Which was received.

By the Clerk:
Letter dated June 10, 2021, from the City Treasurer request that your Honorable Body consider permitting the assignment of the Municipal Lien held by the City of Elizabeth on the property known as Rear 655 Kapkowski Road to Silver Point Capital, LP d/b/a Bridge Funding, LLC in the full assignment amount of approximately $112,077.42. Which was received.

By the Clerk:
Letter dated June 9, 2021, from the Director of Planning and Community Development request to amend the Code of the City of Elizabeth Chapter 17 Land Development, Subchapter 36 entitled “Zoning Districts” specifically, to eliminate the MRC Zone and replace it with the newly created MRC-1 and MRC-2 Zone Districts. Which was received.
PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:
Letter dated June 9, 2021, from the Director of Planning and Community Development request to amend the Code of the City of Elizabeth Chapter 17 Land Development Subchapter 36, entitled “Zoning Districts Generally” Subsection 10, entitled “Establishment of Zones” specifically, to create a Cannabis Retail Overlay Zone and a Cannabis Cultivation, Manufacturing, and Distribution Overlay Zone and to create Subsection 210, entitled “Cannabis Overlay Zone Regulations”.
Which was received.

By the Clerk:
Letter dated June 10, 2021, from the Director of Planning and Community Development request that your Honorable Body approve the use of Urban Enterprise Zone Second Generation Funds for the Urban Enterprise Zone Financial Lending Program Fiscal Year 2022; funds will be utilized to finance the continuation and administration of the successful UEZ Loan Programs for the period of July 1, 2021 through June 30, 2022 in the amount of $2,917,936.00.
Which was received.

By the Clerk:
Letter dated June 10, 2021, from the Director of Planning and Community Development request that your Honorable Body approve the FY 2022 Urban Enterprise Zone (UEZ) Administrative budget in the amount of $525,000.00 from Urban Enterprise Zone Assistance Funds and authorize the proper City officials to enter into an agreement with the Elizabeth Development Company for the administration of the City of Elizabeth’s UEZ program for the period of July 1, 2021 through June 30, 2022.
Which was received.

By the Clerk:
Letter dated June 11, 2021, from the Director of Planning and Community Development request authorization for the proper City officials to enter into an agreement with Harbor Consultants, Inc., 320 North Avenue East, Cranford, NJ for Planning and Engineering Services to the Planning and Zoning Boards and the Department of Planning and Community Development for the period of May 1, 2021 through April 30, 2022 at a total cost of $75,000.00.
Which was received.

By the Clerk:
Which was received.

By the Clerk:
Letter dated June 11, 2021, from the Director of Public Works recommending awarding a contract to PM Construction Corp., 1310 Central Avenue, Hillside, NJ for the 2021 Road Resurfacing Program at a cost of $2,249,494.75.
Which was received.

By the Clerk:
Letter dated June 11, 2021, from the Director of Public Works recommending awarding a contract to Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ for the 2021 Road Resurfacing Program at a cost of $2,090,629.69.
Which was received.

By the Clerk:
Letter dated June 11, 2021, from the Director of Public Works recommending awarding a contract to CME Associates, 3141 Bordentown Avenue, Parlin, NJ to provide civil engineering services in connection with the design and construction administration of the Elizabeth River Trail – Phase 4 at a cost not to exceed $396,807.00 plus reimbursables.
Which was received.
PETITIONS, COMMUNICATIONS, ETC. (Cont’d)

By the Clerk:
Letter dated June 8, 2021, from Alison E. Curko, Appalachia Hydrogeologic & Environmental Consulting, LLC, 678 Route 202-206 Bldg. 5, Unit 4, Bridgewater, NJ, on behalf of Lessner Electric, 581-599 Pennsylvania Avenue, Elizabeth request an Encroachment Permit to perform environmental work consisting of one (1) monitoring well within the right-of-way of Pennsylvania Avenue. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter dated June 1, 2021, from the City Treasurer submitting the City Treasurer’s Report of Receipts and Disbursements for the month of March 2021 and Statement of Bank Balances and Investments as of March 31, 2021. Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 5498 - An Ordinance granting an Environmental Encroachment Permit to Appalachia Hydrogeologic & Environmental Consulting, LLC, 678 Route 202-206, Bldg. 5, Unit 4, Bridgewater, N.J., for the installation of one (1) off-site monitoring well at the location of 581-599 Pennsylvania Avenue, Elizabeth, New Jersey.

ORD. NO. 5499 - An Ordinance to amend the City of Elizabeth Land Development Code, Chapter 17, Subchapter 36 entitled “Zoning Districts”, to carry out the recommendations in the 2019 Master Plan re-examination report to eliminate the MRC Zone and replace this Zone with newly create MRC-1 and MRC-2 Zone Districts.

ORD. NO. 5500 - An Ordinance amending various sections of Chapter 17 of the City of Elizabeth, entitled “Land Development Code,” specifically to create overlay zones related to the regulation of cannabis establishments.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, JULY 27, 2021 AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5489 - An Ordinance to amend Chapter 10.08.090, Schedule II, of the Code of the City of Elizabeth, entitled “Stop Intersections”, specifically to establish stop intersections at Service Drive and Trotter Lane, and Vista Avenue and Highland Avenue.

ORD. NO. 5490 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Valyntina Garcia, 149 Clark Place, Elizabeth, New Jersey.

ORD. NO. 5491 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Vanessa Arias-Hernandez, 313 Fulton Street, Elizabeth, New Jersey.

ORD. NO. 5492 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Susiey Cespedes, 432 Franklin Street, Elizabeth, New Jersey.

ORD. NO. 5493 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Miriam Grullen, 535 Franklin Street, Elizabeth, New Jersey.
ORDINANCES ON FINAL PASSAGE (Cont’d.)

ORD. NO. 5494 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Odalis Alcaide, 36 Rankin Street, Elizabeth, New Jersey.

ORD. NO. 5495 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Henry Woltz II, 1014 Emma Street, Elizabeth, New Jersey.

ORD. NO. 5496 - An Ordinance to rescind Ordinance No. 4750, adopted on September 13, 2016, which authorized the establishment of a personalized handicapped parking space for Anthony L. Opalach, 475 Fay Avenue, Elizabeth, New Jersey.

ORD. NO. 5497 - An Ordinance to rescind Ordinance No. 5168, adopted on April 23, 2018, which authorized the establishment of a personalized handicapped parking space for Ricardo Rodriguez, 50 Reid Street, Elizabeth, New Jersey.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Public Works Payroll 2021, in the amount of $337,318.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Health Department Payroll 2021, in the amount of $54,134.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Police Department Payroll 2021, in the amount of $38,339.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- EMS Department Payroll 2021, in the amount of $325,863.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Municipal Court-Revenue Replacement 2021, in the amount of $1,858,784.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Port Authority Parking-Revenue Replacement 2021, in the amount of $785,734.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Franchise Assessments-Revenue Replacement 2021, in the amount of $2,429,348.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Hotel Taxes-Revenue Replacement 2021, in the amount of $2,741,743.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Parking Taxes-Revenue Replacement 2021, in the amount of $727,948.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Motor Vehicle Taxes-Revenue Replacement 2021, in the amount of $493,878.00.
NEW BUSINESS (cont’d)

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Sewer Utility Infrastructure Project 2021, in the amount of $10,000,000.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, from the American Rescue Plan Act of 2021 awarded by the United States Department of Treasury- Elizabeth Parking Authority 2021, in the amount of $1,000,000.00.

Authorize an amendment to the Fiscal Year 2021 Budget to insert, as an item of Revenue, New Jersey Department of Law and Public Safety- Alcohol Ed Rehab Grant 2021, in the amount of $3,407.98.

Authorize transfers for the Fiscal Year 2021 Municipal & Sewer Utility Budgets in the amount of $447,500.00.

Authorize the award of a contract to Gold Type Business Machines, Inc., 351 Paterson Avenue, East Rutherford, N.J., for the purchase of Police Computer Assisted Mobile Client Software License renewal for Info Cop, through the Bergen County Co-Op, in the total amount of $25,997.50.

Authorize the renewal of a policy of insurance with Hartford Insurance Company, Hartford, CT, through the agent-of-record, Hughes-Plumer Associates, for an Accident Insurance Policy covering the Auxiliary Police Officers for the period July 1, 2021 to June 30, 2022, at an annual premium of $340.00.

Authorize the award of respective contracts with Exemplis Corp., c/o BFI, 6415 Katella Avenue, Cypress, CA, in the amount of $7,573.24 and OFS Sales Corp., c/o BFI, 1204 East 6th Street Huntsburg, IN, in the amount of $5,010.30, for the purchase of tables and chairs for the Elmora Racquet Club, for a total amount $12,583.54.

Authorize the award of respective contracts with Johnson, Mirmiran and Thompson (JMT), 1200 Lenox Drive, Trenton, N.J., and Dynamic Traffic, 1904 Main Street, Lake Como, N.J., for professional on-call/emergency traffic engineering consulting services for the period July 1, 2021 through June 30, 2022, In an amount not to exceed $50,000.00 for each firm.

Authorize the proper City officials to participate in a sixty (60) day Automatic License Plate Recognition (ALPR) Pilot period with Flock Group Inc., 1170 Howell Mill Rd NW Suite 210, Atlanta, GA for the Elizabeth Police Department access to Flock’s Software and 25 (ALPR) cameras for automatic license plate detection to be placed in all wards of the City of Elizabeth through Flock’s technology platform from August 1, 2021 through September 29, 2021, with an option to cancel the ALPR Pilot Period without cost and authorize the proper City officials to execute an agreement and any other documents in connection with the agreement in the event the Police Department wishes to continue the use of Flock Services after the expiration of the sixty (60) day Pilot, a twenty-four (24) month initial term would begin September 30, 2021 at the cost of $68,750.00 for the first year and $62,500.00 for the second year.

Adopt a resolution ratifying the City Attorney to file the Tax Appeals on the North Avenue East, LLC, 1-71 North Avenue East, Elizabeth, N.J. that is deemed to be substantially under assessed for Tax Years 2014 through 2021.

Authorize the cancellation of Emergency Medical Services open accounts receivable balances accumulated through June 30, 2018 is deemed uncollectible in accordance with the recommendation of the City Auditor, Louis C. Mai, CPA & Associates, the cancellation of EMS receivables does not preclude the acceptance of any future payments, in the amount of $10,652,020.99.

Authorize the City Treasurer to cancel tax credits for Tax Year 2013 in the amount of $158,802.74, as per the delineated list on file in the City Clerk’s Office and said sum be credited to Miscellaneous Revenue not anticipated.
NEW BUSINESS (cont’d)

Authorize the City Treasurer to cancel tax lien records premiums in excess of five (5) years old or liens that are foreclosed, totaling $72,200.00 as per the delineated list on file in the City Clerk’s Office and said sum be credited to Miscellaneous Revenue not anticipated.

Authorize the Tax Collector to cancel the said disallowed Senior Citizen deductions, Senior Citizens for the Tax Year 2020, as per the delineated list on file in the City Clerk’s Office, in the amount of $3,000.00.

Authorize the Tax Collector to cancel the disallowed Senior Citizen deductions, for the Tax Year 2020 on the properties located at 19 Lyon Place in the amount of $250.00 and 926-928 Monroe Avenue in the amount of $250.00, for the total amount of $500.00.

Authorize the Tax Collector to cancel the disallowed Senior Citizen deductions, Senior Citizen for the Tax Year 2020, on the property located at 28 Pershing Avenue, in the amount of $250.00.

Authorize the assignment of the Tax Sale Certificate No. 20-00007 held by the City on the property known as Rear 655 Kapkowski Road to Silver Point Capital, LP d/b/a – Bridge Funding, LLC, in the full assignment amount of $112,077.42.

Approve the Urban Enterprise Zone (UEZ) Second Generation Funds for the UEZ Financial Lending Programs FY2022, funds will be utilized to finance the continuation and administration of the successful UEZ Loan Programs and authorize the proper City officials to sign any and all documents necessary to enter into an agreement with the Elizabeth Development (EDC) for the period July 1, 2021 through June 30, 2022, in the amount of $2,917,938.00.

Approve the Urban Enterprise Zone (UEZ) Administrative Budget FY2022 from UEZ Assistance Funds and authorize the proper City Officials to sign any and all documents necessary to enter into an agreement with the Elizabeth Development Company (EDC) for the administration of the City of Elizabeth’s UEZ Program for the period July 1, 2021 through June 30, 2022, in the amount of $525,000.00.

Authorize the award of a contract to Picerno Giordano Construction, LLC, 200 Market Street, Kenilworth, N.J., for the Elmora Racquet Club Renovations, 23 Fernwood Terrace, in the amount of $448,786.50.

Authorize the award of a contract to PM Construction Corp., 1310 Central Avenue, Hillside, N.J., for the 2021 Road Resurfacing Program, list of streets to be resurfaced are on file in the City Clerk’s Office, in the amount of $2,249,494.75.

Authorize the award of a contract to Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, N.J., for the 2021 Road Resurfacing Program, list of streets to be resurfaced are on file in the City Clerk’s Office, in the amount of $2,050,629.69.

Authorize the award of a contract to CME Associates, 3141 Bordentown Avenue, Parlin, NJ, to provide civil engineering services in connection with the design and construction administration of the Elizabeth River Trail - Phase 4, at a cost not to exceed $396,807.00 plus reimbursables.

Authorize settlement in the worker’s compensation litigation matter of Campbell v. the City in the total amount of $40,890.00.

Authorize the proper City officials to execute the appropriate documents to settle the matter of the City of Elizabeth v. Silva & Pontesdasilva for property damages sustained in a motor vehicle accident, in the total amount of $8,733.72.

Pay Utility Bills

Approve Bingo and Raffle Licenses
NEW BUSINESS (cont'd)

COMMENDATIONS:
Frank O. Mazza  )Retirement, Elizabeth Board of Education

MEMORIALS:
Maria L. Rios

ADJOURNMENT