

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, SEPTEMBER 22, 2020

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 5358 - An Ordinance to amend Section 10.24.110 of the Code of the City of Elizabeth entitled "Traffic-Control Signals" specifically to establish a new traffic control signal at the intersection of North Avenue and Madison Avenue in accordance with the As-Built Traffic Signal Plan dated December 6, 2019.
- ORD. NO. 5359 - An Ordinance granting an Encroachment Permit to Sovereign Consulting, Inc., of Dobbs Lane, Suite 212, Cherry Hill, New Jersey, to perform environmental work consisting of one (1) monitoring well for 866 Bayway Circle, located at 911-915 S. Elmora Avenue, within the right-of-way of 701-709 Edgar Road.
- ORD. NO. 5360 - An Ordinance granting an Encroachment Permit to A.J Foods, Inc., 2024 Route 1 South, Rahway, New Jersey, for the installation of blade signs within the right-of-way of 33 Broad Street.
- ORD. NO. 5361 - An Ordinance authorizing the City of Elizabeth to enter into a Site Access Agreement with Groundwater & Environmental Services, Inc. (GES), 1599 Route 34, Suite 1, Wall, New Jersey, in connection with the remedial investigation of the former Exxon Service Station, 669 South Broad Street, at Engine Co. No. 2, 665 South Broad Street.
- ORD. NO. 5362 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Johnny Gratacos, 19 Lyon Place, Elizabeth, New Jersey.
- ORD. NO. 5363 - An Ordinance to rescind Ordinance No. 5306, adopted on February 25, 2020, which authorized the establishment of a personalized handicapped parking space for Elba Class, 335 Court Street, Elizabeth, New Jersey.
- ORD. NO. 5364 - An Ordinance to rescind Ordinance No. 4088, adopted on December 22, 2009, which authorized the establishment of a personalized handicapped parking space for Catalina Andujar, 1379 Alina Street, Elizabeth, New Jersey.
- ORD. NO. 5365 - An Ordinance to rescind Ordinance No. 4668, adopted on August 9, 2016, which authorized the establishment of a personalized handicapped parking space for Margarita Obando, 744 Jackson Avenue, Elizabeth, New Jersey.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 11, 2020, from his Honor the Mayor advising, that subject to confirmation, he has appointed Daniel J. Russell as Temporary Judge of the Municipal Court in the City of Elizabeth for a term of one (1) year commencing November 1, 2020 through October 31, 2021 on a contractual basis at the rate of \$300.00 per session in an amount not to exceed \$60,000.00.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from his Honor the Mayor advising, that subject to confirmation, he has appointed Jubilio L. Afonso as Temporary Judge of the Municipal Court in the City of Elizabeth for a term of one (1) year commencing November 1, 2020 through October 31, 2021 on a contractual basis at the rate of \$300.00 per session in an amount not to exceed \$60,000.00.
Which was received.

By the Clerk:

Letter dated September 10, 2020, from the Business Administrator recommending awarding a contract to New Jersey Overhead Door, P.O. Box 376, Bayville, NJ to purchase Door and Gate Systems Service for various departments, through the Union County Cooperative at a cost not to exceed \$124,700.00 for the period of August 31, 2020 through August 30, 2022.
Which was received.

By the Clerk:

Letter dated September 10, 2020, from the Business Administrator recommending awarding a contract to Northern Red, Inc., P.O. Box 543, Pinehurst, NC for specialized training services for the Police Department at a cost not to exceed \$50,000.00 for the period of one year to commence after the award under their State Contract.
Which was received.

By the Clerk:

Letter dated September 10, 2020, from the Business Administrator recommending awarding a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, NJ for cleaning, installation, removal, repair and related services for above ground fuel tanks for the Public Works Department for the period of August 29, 2020 through August 28, 2021 at a cost not to exceed \$100,000.00.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator recommending awarding a contract to Motorola Communications & Electronics, Inc., P.O. Box 161, Wharton, NJ for the purchase of Communications Equipment and Accessories for various departments for the period of April 30, 2020 through April 30, 2021 at a cost not to exceed \$200,000.00.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator recommending awarding a contract to Point Blank Enterprises, Inc., 2102 Southwest 2nd Street, Pompano Beach, FL for the purchase of Police vests and carriers for the Police Department in an amount not to exceed \$125,000.00 for the period of July 21, 2020 through July 31, 2021.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator recommending awarding a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ for the purchase of one (1) Ford F450 Mason Dump Truck with a plow and spreader as replacement vehicle for the Department of Public Works at a cost of \$64,896.50.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator request authorization for the proper City officials to participate in the Educational Services Commission Co-op to awarding a contract to Jesco, Inc., 118 ST. Nicholas Avenue, South Plainfield, NJ for the purchase of one (1) 2020 John Deere 524L Payloader in the amount of \$154,243.75.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator recommending awarding a contract to S&S Worldwide, 75 Mill Street Colchester, CT for the purchase of arts, crafts and games for youth groups and senior citizens for various departments for the period of August 30, 2020 through August 30, 2021 at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator advising that being satisfied that an emergency affecting the public's health and safety did exist, recommends the award of contract to Jocar Construction and Demolition, Inc, 81 Broadway, Elizabeth, NJ for the immediate demolition of an awning located at 233 Broad Street in the amount of \$4,200.00.
Which was received (F.I.O.)

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator request authorization for the proper City officials to auction the City's Solar Renewable Energy Certificates (SREC's) and to execute the certificates being auctioned as per Schedule A attached hereto; date and time of auction will be set by Flett Exchange, LLC and published in The Star Ledger at no cost to the City.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator recommending awarding a contract to Ricoh USA, Inc., 19 Chapin Road, P.O. Box 2008, Pine Brook, NJ for new photocopiers or replacement leases for the period of June 1, 2020 through January 11, 2021 at a cost not to exceed \$160,000.00; in addition, the cost includes all parts, labor, staples and supplies.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator recommending awarding a contract to Campbell Freightliner, LLC, 1015 Cranbury South / River Road, South Brunswick, NJ for maintenance and repairs services for Heavy Duty vehicles including, but not limited to repairs for pumps, water tanks and exhaust parts for various departments for the period of July 20, 2020 through July 20, 2021 at a cost not to exceed \$100,000.00.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator recommending awarding a contract to General Sales Administration t/a Major Police Supply, 47 North Dell Avenue, Kenvil, NJ for Lighting Equipment for the departments of Police, Fire and EMS for the period of August 21, 2020 through August 31, 2021 at a cost not exceed \$150,000.00.
Which was received.

By the Clerk:

Letter dated September 11, 2020, from the Business Administrator recommending awarding a contract to Public Service Electric & Gas Co., 472 Weston Canal Road, Somerset, NJ for the purchase of Six (6) 14' Classic 1 Poles with Fixtures for the Bike, Hike & Roll Throughway Expansion, 34-58 Pine Street project in the amount of \$29,732.46.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 14, 2020, from the Law Department advising that a resolution was passed on July 28, 2020 recommending a contract be awarded to Kathryn V. Hatfield, Esq., of the Weiner Law Group, LLP.; the City attorney was informed that Ms. Hatfield was leaving the firm of Weiner Law Group, LLP in order to form her own law firm, Hatfield Schwarz, LLC.; Ms. Hatfield has expressed a desire to continue representing the City under the same terms and conditions as proposed in her response to the Request for Proposals submitted on June 11, 2020.
Which was received.

By the Clerk:

Letter dated August 20, 2020, from the Chief Financial Officer request authorization for the Tax Collector to cancel/credit/refund an overbilling of taxes for the 2020 Tax Year on the property located 918 South Street in the amount of \$13,933.00.
Which was received.

By the Clerk:

Letter dated September 15, 2020, 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 September 15, 2020, from the Chief Financial Officer advising that transfers for the 2020 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:

Letter dated September 15, 2020, from the Chief Financial Officer advising that temporary emergency appropriations for the 2021 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:

Letter dated September 15, 2020, from the Chief Financial Officer request that your Honorable Body consider the approval of a Capital Surplus ordinance authorizing the purchase of an ambulance to handle COVID-19 issues and two new vans for Animal Control in the total amount of \$400,000.00.
Which was received.

By the Clerk:

Letter dated September 15, 2020, from the Chief Financial Officer request that your Honorable Body consider the approval of a Bond Ordinance that authorizes the installation of the 9-1-1 - Vesta System in the amount of \$2,000,000; City would authorize obligations of \$1,900,000 with a down payment of \$100,000.
Which was received.

By the Clerk:

Letter dated September 15, 2020, from the Chief Financial Officer request that your Honorable City Council consider approving a resolution determining the form and other details of its "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 \$9,960,000, and providing for the issuance and sale of such note to the New Jersey Infrastructure Bank and authorizing the execution and delivery of such note by the City in favor of New Jersey Infrastructure Bank Water Bank, all pursuant to the New Jersey Infrastructure Bank Water Bank Construction Financing Program, for the Flood Mitigation Facilities Project.
Which was received

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 10, 2020, from the Director of Planning and Community Development authorizing the adoption of the land use ordinance to amend and supersede Section 17.36.090, Section 17.36.099 and 17.36.100 of the Land Development Code approved by the Planning Board.
Which was received.

By the Clerk:

Letter dated August 28, 2020, from the Police Director request authorization for a No Parking of Trucks on the north side of Progress Street.
Which was received.

By the Clerk:

Letter dated August 31, 2020, from the Police Director request to establish handicapped parking spaces in front of the following premises: 38 Cedar Avenue (personalized); 620 Court Street (Personalized); 518 Fulton Street (personalized); 219 South Second Street (personalized); 174A Front Street (personalized); 1020 Anna Street, Fl. 2;(change measurements); deletions: 619 Meadow Street; 238 E. Jersey Street; 316 Christine Street; 1 Dewitt Road.
Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

- ORD. NO. 5366 - An Ordinance to amend and supersede City of Elizabeth Land Development Code, Chapter 17, Subsection 36 entitled Zoning Districts, Section 17.36.090 (“Nonconformance”), Section 17.36.099 (“Calculation of Prevailing Conditions”) and Section 17.36.100 (“Lot Dimensions”).
- ORD. NO. 5367 - An Ordinance to amend Section 10.40.070, of the Code of the City of Elizabeth, entitled “No Parking of Trucks - Portion Affected” specifically to add Progress Street, north side, entire length.
- ORD. NO. 5368 - An Ordinance to amend Section 10.64.010, of the Code of the City of Elizabeth, entitled “Loading Zone Established,” specifically to establish a Loading Zone at 131 Insee Place, on the north side of Insee Place, beginning three hundred eighty-three (383) feet west of First Street, continuing ninety-eight (98) feet west thereof.
- ORD. NO. 5369 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Mabel Asconeguy, 1037 Richford Terrace, Elizabeth, New Jersey.
- ORD. NO. 5370 - An Ordinance to authorize the establishment of a personalized handicapped parking space for William Gallman, Jr., 620 Court Street, Elizabeth, New Jersey.
- ORD. NO. 5371 - An Ordinance to authorize the establishment of a personalized handicapped parking space for James Brooks, 518 Fulton Street, Elizabeth, New Jersey.
- ORD. NO. 5372 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Norma Alicea, 219 South Second Street, Elizabeth, New Jersey.

ORDINANCES ON FIRST READING (cont'd)

- ORD. NO. 5373 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Lawrence Baisden, 174A Front Street, Elizabeth, New Jersey.
- ORD. NO. 5374 - An Ordinance to rescind Ordinance No. 4730, adopted on June 28, 2016, which authorized the establishment of a personalized handicapped parking space for Idalmis Gonzalez, 1 Dewitt Road, Elizabeth, New Jersey.

ORD. NO. 5375 - An Ordinance to rescind Ordinance No. 4835, adopted on April 25, 2017, which authorized the establishment of a personalized handicapped parking space for Rocco Guiducci, 316 Christine Street, Elizabeth, New Jersey.

ORD. NO. 5376 - An Ordinance to amend Ordinance No. 5355, adopted September 8, 2020 which authorized the establishment of a personalized handicapped parking space for Shakema Hemingway, 1020 Anna Street, Fl 2, Elizabeth, New Jersey, specifically to amend metes and bounds.

ORD. NO. 5377 - A Capital Surplus Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$400,000.00 for the acquisition of an ambulance and vans in and for the City of Elizabeth, in the County of Union, New Jersey.

ORD. NO. 5378 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for the acquisition and installation of a 911 System in and for the City of Elizabeth and appropriating \$2,000,000.00 therefor, and providing for the issuance of \$1,900,000.00 in Bond or Notes of the City of Elizabeth to finance the same.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING
ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD
TUESDAY, OCTOBER 13, 2020 AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5358 - An Ordinance to amend Section 10.24.110 of the Code of the City of Elizabeth entitled "Traffic-Control Signals" specifically to establish a new traffic control signal at the intersection of North Avenue and Madison Avenue in accordance with the As-Built Traffic Signal Plan dated December 6, 2019.

ORD. NO. 5359 - An Ordinance granting an Encroachment Permit to Sovereign Consulting, Inc., of Dobbs Lane, Suite 212, Cherry Hill, New Jersey, to perform environmental work consisting of one (1) monitoring well for 866 Bayway Circle, located at 911-915 S. Elmora Avenue, within the right-of-way of 701-709 Edgar Road.

ORD. NO. 5360 - An Ordinance granting an Encroachment Permit to AJ Foods, Inc., 2024 Route 1 South, Rahway, New Jersey, for the installation of blade signs within the right-of-way of 33 Broad Street.

ORD. NO. 5361 - An Ordinance authorizing the City of Elizabeth to enter into a Site Access Agreement with Groundwater & Environmental Services, Inc. (GES), 1599 Route 34, Suite 1, Wall, New Jersey, in connection with the remedial investigation of the former Exxon Service Station, 669 South Broad Street, at Engine Co. No. 2, 665 South Broad Street.

ORDINANCES ON FINAL PASSAGE (Cont'd.)

- ORD. NO. 5362 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Johnny Gratacos, 19 Lyon Place, Elizabeth, New Jersey.
- ORD. NO. 5363 - An Ordinance to rescind Ordinance No. 5306, adopted on February 25, 2020, which authorized the establishment of a personalized handicapped parking space for Elba Class, 335 Court Street, Elizabeth, New Jersey.
- ORD. NO. 5364 - An Ordinance to rescind Ordinance No. 4088, adopted on December 22, 2009, which authorized the establishment of a personalized handicapped parking space for Catalina Andujar, 1379 Alina Street, Elizabeth, New Jersey.
- ORD. NO. 5365 - An Ordinance to rescind Ordinance No. 4668, adopted on August 9, 2016, which authorized the establishment of a personalized handicapped parking space for Margarita Obando, 744 Jackson Avenue, Elizabeth, New Jersey.

NEW BUSINESS

- Authorize an amendment to the 2021 Fiscal Year Capital Budget in the amount of \$2,400,000.00.
- Confirm the appointment of Daniel J. Russell, Esq., to serve as Temporary Judge of the Municipal Court for a term of one (1) year commencing November 1, 2020 through October 31, 2021, at a cost not to exceed \$60,000.00.
- Confirm the appointment of Jubilo L. Afonso, Esq., to serve as Temporary Judge of the Municipal Court for a term of one (1) year commencing November 1, 2020 through October 31, 2021, at a cost not to exceed \$60,000.00.
- Authorize the award of a contract to New Jersey Overhead Door, P. O. Box 376, Bayville, N.J., for the purchase of Door and Gate System Services for various departments through the Union County Cooperative for the period August 31, 2020 through August 30, 2022 at a cost not to exceed \$124,700.00.
- Authorize the award of a contract to Northern Red, Inc., P. O. Box 5431, Pinehurst, N.C., for Specialized Training Services for the Police Department for the period of one year to commence after the award of contract, at a cost not to exceed \$50,000.00.
- Authorize the award of a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, N.J., for cleaning, installation, removal, repair and related services for above ground fuel tanks for the Public Works Department for the period August 29, 2020 through August 28, 2021, at a cost not to exceed \$100,000.00.
- Authorize the award of a contract to Motorola Communications & Electronics, Inc., P.O. Box 161, Wharton, N.J., for the purchase of Communications Equipment and Accessories for various departments for the period April 30, 2020 through April 30, 2021, at a cost not to exceed \$200,000.00.
- Authorize the award of a contract to Point Blank Enterprise, Inc., 2102 Southwest 2nd Street, Pompano Beach, FL, for the purchase of Police vests and carriers for the Police Department for the period July 21, 2020 through July 31, 2021, in an amount not to exceed \$125,000.00.

Authorize the award of a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, N.J., for the purchase of one (1) 2020 Ford F450 Mason Dump Truck with plow and spreader as a replacement vehicle for the Department of Public Works, at a total cost of \$64,896.50.

NEW BUSINESS (cont'd)

Authorize the award of a contract to Jesco, Inc., 118 St. Nicholas Avenue, South Plainfield, N.J., for the purchase of one (1) 2020 John Deere 524L Payloader through the Educational Services Commission of NJ, in the amount of \$154,243.75.

Authorize the award of a contract to S&S Worldwide, 75 Mill Street, Colchester, CT, for the purchase of arts, crafts and games for youth groups and senior citizens for various departments for the period August 30, 2020 through August 30, 2021, at a cost not to exceed \$50,000.00.

Authorize the proper City officials to auction the City's Solar Renewable Energy Certificates (SREC's) and to execute the certificates being auctioned as per Schedule A on file in the City Clerk's Office on an online auction website with Flett Exchange, LLC, 15 Exchange Place, Jersey City, New Jersey.

Authorize the award of a contract to Ricoh USA, Inc., 19 Chapin Road, Pine Brook, N.J., for new or replacement leases, including the cost of all parts, labor, staples and supplies for the period June 1, 2020 through January 11, 2021, in the amount not to exceed \$160,000.00.

Authorize the award of a contract to Campbell Freightliner, LLC, 1015 Cranbury South/River Road, South Brunswick, N.J., for maintenance and repair services for heavy duty vehicles and exhaust parts for various departments for the period July 20, 2020 through July 20, 2021, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to General Sales Administration *via* Major Police Supply, 47 North Dell Avenue, Kenil, N.J., for lighting equipment for the Police, Fire and EMS Departments for the period August 21, 2020 through August 31, 2021, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to Public Service Electric and Gas Company (PSE&G) Co., 472 Weston Canal Road, Somerset, N.J., for the purchase of six (6) 14' Classic 1 Poles with fixtures, for the Bike, Hike & Roll Thruway Expansion, 34-58 Pine Street Project, in the amount of \$29,732.46.

Authorize the proper City officials to enter into a contract with Kathryn V. Hatfield, Esq. of the law firm Hatfield Schwartz, LLC, 40 Cedar Knolls Road, Suite 303, Cedar Knolls, N.J., to continue to represent the City in her new law firm, Hatfield Schwartz, LLP under the same terms and conditions of the proposal previously submitted while a member of the Weiner Law Group, LLP.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes for the 2020 Tax Year on the property located at 918 South Street in the amount of \$13,933.00.

Adopt a resolution determining the form and other details of its "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 \$9,960,000.00 and providing for the issuance and sale of such note to the New Jersey Infrastructure Bank, and authorizing the execution and delivery of such note 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 and in connection with the Flood Mitigation Facilities Project.

Rescind resolution adopted December 23, 2019, which established a handicapped parking space in front of the premises located at 219 South Second Street. (now personalized)

Rescind resolution adopted November 12, 2019, which established a handicapped parking space in front of the premises located at 174 A. Front Street. (now personalized)

Establish a handicapped parking space in front of the premises located at 1 Dewitt Road.

NEW BUSINESS (cont'd)

Delete the following handicapped parking spaces from in front of the premises located at:
238 East Jersey Street, 619 Meadow Street.

Pay Utility Bills

Approve Bingo and Raffle Licenses

COMMENDATIONS:

Vito De Mattia

)100th Birthday

MEMORIALS:

Hilario & Susana Huanchi

ADJOURNMENT