

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, OCTOBER 22, 2019

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 5252 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Nicolas Sepulvedas, 9 Catherine Street, Elizabeth, New Jersey.
- ORD. NO. 5253 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Vanessa Villegas Ruiz, 709 Linden Avenue, Elizabeth, New Jersey.
- ORD. NO. 5254 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Brian Heimbuecher, 416 East Jersey Street, Apt. 302, Elizabeth, New Jersey.
- ORD. NO. 5257 - An Ordinance to rescind Ordinance No. 4791, adopted on December 27, 2016, which authorized the establishment of a personalized handicapped parking space for Frances Moret, 254 Inslee Place, Elizabeth, New Jersey.
- ORD. NO. 5258 - An Ordinance to rescind Ordinance No. 4183, adopted on January 11, 2011, which authorized the establishment of a personalized handicapped parking space for Loretta Gwaldis, 148 Inslee Place, Elizabeth, New Jersey.
- ORD. NO. 5259 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Andres Torres 544 Richmond Street, Apt. 2, Elizabeth, New Jersey.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 9, 2019, from His Honor the Mayor subject to the confirmation of your Honorable Body, I herewith appoint Mr. Wilson Cano, 210 Stiles Street, Elizabeth, NJ to serve as a Member of the Elizabeth Housing Authority to fill the unexpired term (4/29/2022) of Ms. Edith Morales who has recently resigned. A copy of Mr. Cano's resume is attached for your perusal.
Which was received.

By the Clerk:

Letter dated October 11, 2019, from His Honor the Mayor subject to the confirmation of your Honorable Body, I herewith appoint Jubilo L. Afonso as Temporary Municipal Court Judge to hear cases including, but not limited to, illegal conversions, drunk driving complaints, and other related matters that may be assigned to him 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 30, 2019, from the Business Administrator request authorization to disburse a final premium adjustment as a result of an audit conducted by Regional Risk Managers LLC regarding the Excess Workers Compensation Insurance Policy covering the period July 1, 2018 to July 1, 2019 in the total sum of \$3,917.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated September 30, 2019, from the Business Administrator request authorization for the issuance of insurance covering City-Owned properties with The Chubb Group of Insurance, through their agent-of-record Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, NJ for the period of October 1, 2019 to October 1, 2020 at an annual premium of \$157,205.00. Which was received.

By the Clerk:

Letter dated September 30, 2019, from the Business Administrator request authorization for the proper City officials to renew a Fidelity Officials Bond covering Paul Lesniak, City Treasurer/Tax Collector with the Hartford Insurance Company through agent-of-record Hughes Plumer Associates, 20 West End Avenue, Somerville, NJ for the period of December 1, 2019 to December 1, 2020 at an annual premium of \$1,750.00. Which was received.

By the Clerk:

Letter dated October 8, 2019, from the Business Administrator recommending awarding a contract to Garden State Highway Products, Inc., 301 Riverside Drive, Millville, NJ for the purchase of traffic control signs, support hardware and safety devices for the period of September 24, 2019 through September 24, 2020 not to exceed \$100,000.00. Which was received.

By the Clerk:

Letter dated October 8, 2019, from the Business Administrator request authorization for the proper City officials to enter into a Memorandum of Understanding for a six (6) month Electric Scooter Sharing Pilot Program with Neutron Holdings, Inc., d/b/a Lime to determine if electric scooters are a viable means of transportation within the City; City will receive a ten cents (\$0.10) fee for each completed trip to offset the cost of additional time and resources of the Police, Fire, and Public Works. Which was received.

By the Clerk:

Letter dated October 9, 2019, from the Business Administrator recommending awarding a contract to Louis Barbato Landscaping Inc., 1600 Railroad Avenue, Holbrook, NY for the purchase of 150 Little Leaf Linden trees and root guards to be planted throughout the City in residential areas at a total cost of \$46,725.00. Which was received.

By the Clerk:

Letter dated October 10, 2019, from the Business Administrator recommending awarding a contract to Appraisal Systems, Inc., 264 South Street, Bldg. 2, Suite 1B, Morristown, NJ for the furnishing of a revaluation of real property for property tax assessment purposes in the Office of the Tax Assessor in the amount of \$1,509,840.00. WHICH WAS REFERRED TO COUNCIL AS A WHOLE.

By the Clerk:

Letter dated October 15, 2019, from the Chief Financial Officer advising that temporary emergency appropriations for the 2020 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated October 2, 2019, from the Director of Health and Human Services request to enter into an agreement between the City of Elizabeth, Department of Health and Human Services and the following: Town of Westfield and their contracting municipalities; Township of Union; City of Linden; Borough of Roselle; Township of Hillside; City of Rahway; Township of Scotch Plains; Winfield; Kenilworth Board of Health, Clark Township and Berkeley Heights for services rendered at the Sexually Transmitted Disease (STD) clinic for the period of January 1, 2020 through December 31, 2020 for the sum of \$175.00 per patient visit; total sum shall be payable upon receipt of a report containing each confirming case from each Municipality. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 4, 2019, from the Director of Health and Human Services request to disburse to the Elizabeth Board of Education the sum of \$22,650.00 for utilizing Nicholas Murray Butler School No. 23 and Dunn Sports Center Pool to offer academic and recreational activities for the S.O.A.R. Summer Program for the period of July 8, 2019 to August 16, 2019.

Which was received.

By the Clerk:

Letter dated October 4, 2019, from the Director of Health and Human Services request to disburse to the Elizabeth Board of Education the sum of \$2,850.00 for custodial, security and bus services for the Office of Youth Services – Safe Haven Leaders Summer Program held at George Washington School No. 1 and Jerome Dunn School No. 9 for the period of July 8, 2019 to August 16, 2019.

WHICH WAS REFERRED TO COUNCIL AS A WHOLE.

By the Clerk:

Letter dated October 4, 2019, from the Director of Health and Human Services request to disburse to the Elizabeth Board of Education the sum of \$2,850.00 for custodial, security and bus services for the Office of Youth Services – Building Future Leaders Summer Program held at Frank J. Cicarell No. 89 for the period of July 8, 2019 to August 16, 2019.

WHICH WAS REFERRED TO COUNCIL AS A WHOLE.

By the Clerk:

Letter dated October 11, 2019, from the Director of Planning and Community Development request to amend the resolution adopted September 10, 2019 authorizing the execution of CD45, 2019-2020 Community Development Block Grant in the amount of \$1,574,365.00 and Emergency Solutions Grant in the amount of \$151,035.00, specifically to acknowledge the Certificate of Availability of Funds request to the Finance Department; the Certification of Extraordinary Unspecifiable Service (EUS) on file for every funded activity on Schedule A; in addition to a corrected Schedule A, to reflect the changes as follows: new GL Acct# for the Miller Playground Activity and changes on the Emergency Solutions Grant breakdown of funds showing the total amount awarded in 2019 and total Program Income (PI).

Which was received.

By the Clerk:

Letter dated October 11, 2019, from the Director of Planning and Community Development request to rescind the resolutions adopted October 9, 2018, November 13, 2018 and June 25, 2019 related to construction of sixty (60) affordable housing units, in which nineteen (19) will be HOME assisted and three (3) will be RCA assisted on the property located at 158-168 First Street; 200-206; 208-210; 212-214 Third Street authorizing a Home Rental Housing Program Loan in the amount of \$1,157,402.00; due to a change of owner/applicant and revision of purpose of funds and to authorize a Home Rental Housing Program Deferred Payment Loan to E-Town Housing and Community Development Corporation, an affiliate of the Housing Authority of the City of Elizabeth.

Which was received.

By the Clerk:

Letter dated September 30, 2019, from the Director of Public Works request that your Honorable Body consider a resolution in support of the proposed New Jersey Department of Transportation intersection improvements to Route 27 (Rahway Avenue) at Route 439 (South Elmora Avenue); project consists primarily of upgrading traffic signal equipment, highway lighting, addressing Americans with Disabilities Act (ADA) requirements, resurfacing of the intersection, upgrading signage, striping and pavement markings and utility relocations, if necessary; will also include a lead left-turn phase for Route 27 northbound traffic.

Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 7, 2019, 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 \$1,106.88. Which was received.

By the Clerk:

Letter dated October 7, 2019, 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 \$2,780.92. Which was received.

By the Clerk:

Letter dated October 8, 2019, from the Director of Public Works request that your Honorable Body consider passing a resolution to adopt the City of Elizabeth, Department of Public Works, Division of Engineering Procedure for Administration and Inspection of Federal Aid Highway Projects dated May 1, 2019 to complete the City's Federal Aid Eligibility Assessment for Federal funds earmarked for the Kapkowski Road – North Avenue East Improvement Project; project involves improvements to five (5) signalized intersections and lowering of a railroad underpass. Which was received.

By the Clerk:

Letter dated October 9, 2019, from the Director of Public Works request authorization for the proper City officials to accept all appropriate documents for the Hudson River Foundation for Science and Environmental Research, Inc., New York – New Jersey Harbor and Estuary Program, Assessment of Combined Sewer System Vulnerability to Sea Level Rise Grant Services Agreement in an amount not to exceed \$2,000.00 to offset the City's costs for participation in the study; The New York-New Jersey Harbor and Estuary Program and the United States Environmental Protection Agency are seeking to collaborate with two (2) to three (3) New Jersey Combined Sewer Overflow (CSO) municipalities to understand sea level rise effects on CSO infrastructure and adaptation strategies that build long-term resilience. Which was received.

By the Clerk:

Letter dated October 11, 2019, from the Director of Public Works request that your Honorable Body adopt a resolution of non-support of the New Jersey Department of Transportation's proposed replacement of the Cherry Street (NJ Route 27 NB) and the Chilton Street (NJ Route 27 Z-SB) Bridges over the former CNJRR (abandoned); a new proposal consisting of full replacement of both bridge structures which will substantially increase the height of both roadways approximately one (1) to three (3) feet higher than currently constructed resulting in much steeper approach grades and adverse impacts to adjacent properties. Which was received.

By the Clerk:

Letter dated October 11, 2019, from the Director of Public Works recommending awarding a contract to Johnson, Mirmiran & Thompson, Inc., 1200 Lenox Drive, Suite 101, Trenton, NJ to provide professional engineering services in connection with the design and construction administration of the milling and resurfacing of Division Street, Dowd Avenue and York Street at a lump sum cost not to exceed \$236,000.00 plus reimbursables; City received a grant for this project in the amount of \$1,800,000.00 from the NJ Department of Transportation Fiscal Year 2019 Local Freight Impact Fund Program. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated October 4, 2019, from the City Treasurer submitting the City Treasurer's Report of Receipts and Disbursements for the month of June 2019 and Statement of Bank Balances and Investments as of June 30, 2019.

ORDINANCES ON FIRST READING

- ORD. NO. 5260 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Maria Cascao, 753 Ogdan Street, Elizabeth, New Jersey.
- ORD. NO. 5261 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Eduardo Espina-Gonzalez, 205 S. Second Street, Elizabeth, New Jersey.
- ORD. NO. 5262 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Mario Osorio, 461 Fulton Street, Elizabeth, New Jersey.
- ORD. NO. 5263 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Annie Graddy, 1019 Anna Street, Apt. 1B, Elizabeth, New Jersey.

PUBLIC HEARING AND FUTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, NOVEMBER 12, 2019 AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 5252 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Nicolas Sepulvedas, 9 Catherine Street, Elizabeth, New Jersey.
- ORD. NO. 5253 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Vanessa Villegas Ruiz, 709 Linden Avenue, Elizabeth, New Jersey.
- ORD. NO. 5254 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Brian Heimbuucher, 416 East Jersey Street, Apt. 302, Elizabeth, New Jersey.
- ORD. NO. 5257 - An Ordinance to rescind Ordinance No. 4791, adopted on December 27, 2016, which authorized the establishment of a personalized handicapped parking space for Frances Moret, 254 Inslee Place, Elizabeth, New Jersey.
- ORD. NO. 5258 - An Ordinance to rescind Ordinance No. 4183, adopted on January 11, 2011, which authorized the establishment of a personalized handicapped parking space for Loretta Gwaldis, 148 Inslee Place, Elizabeth, New Jersey.
- ORD. NO. 5259 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Andres Torres 544 Richmond Street, Apt. 2, Elizabeth, New Jersey.

NEW BUSINESS

Authorize Temporary Emergency Appropriations for the 2020 Fiscal Year Municipal and Sewer Utility Budgets in the amount of \$40,000.00.

Confirm the appointment of Mr. Wilson Cano, 210 Stiles Street, Elizabeth, N.J., to serve as a Member of the Elizabeth Housing Authority to fill the unexpired term of Ms. Edith Morales (April 29, 2022).

Confirm the appointment of Jubilo L. Afonso, Esq., to serve as Temporary Municipal Court Judge of the Municipal Court for a term of one (1) year commencing November 1, 2019 through October 31, 2020, in an amount not to exceed \$60,000.00.

NEW BUSINESS (cont'd)

Authorize the payment of a final premium adjustment for the Excess Workers Compensation Insurance Policy with Safety National Casualty Corporation, 1832 Schuetz Road, St. Louis, MO, through the agent-of-record, Sirocco Group covering the period July 1, 2018 through July 1, 2019, in the total amount of \$3,917.00.

Authorize the award of a contract to The Chubb Group of Insurance Companies, 12 Vreeland Road, Florham Park, N.J., through the agent-of-record, Otterstedt Insurance Agency for an insurance policy covering City-Owned properties for the period October 1, 2019 through October 1, 2020, at an annual premium of \$157,205.00.

Authorize the award of a contract to Hartford Insurance Company, Hartford, CT, through the agent-of-record, Hughes-Plumer and Associates for the renewal of a policy of insurance covering the Fidelity Officials Bond for City Treasurer/Tax Collector, Paul Lesniak for the period December 1, 2019 to December 1, 2020, at an annual premium of \$1,750.00.

Authorize the award of a contract to Garden State Highway Products Inc., 301 Riverside Drive, Millville, N.J., for the purchase of traffic control signs, support hardware and safety devices, through the Somerset County Co-Op, for the period September 24, 2019 through September 24, 2020, at a cost not to exceed \$100,000.00.

Authorize the proper City officials to enter into a Memorandum of Understanding (MOU) with Neutron Holdings, Inc. d/b/a Lime, 2121 South El Camino Real Suite, B100, Fremont, CA, for a six (6) month Electric Scooter Sharing Pilot Program.

Authorize the award of a contract to Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, N.Y., for the purchase of one hundred-fifty (150) Little Leaf Linden trees and root guards to be planted throughout the City of Elizabeth in residential areas, through the Union County Cooperative Purchasing, at a total cost of \$46,725.00.

Authorize the proper City officials to execute an agreement between the City of Elizabeth, Department of Health and Human Services and the following: Town of Westfield and their contracting municipalities; Township of Union; City of Linden; Borough of Roselle; Township of Hillside; City of Rahway; Township of Scotch Plains; Township of Winfield; Borough of Kenilworth Board of Health; Township of Clark; Township of Berkeley Heights for services rendered at the Sexually Transmitted Disease (STD) clinic according to the terms of the agreement for services rendered payable upon receipt of a report confirming said service for the period January 1, 2020 to December 31, 2020, in the amount of \$175.00 per patient.

Authorize the expenditure of \$22,650.00 to the Elizabeth Board of Education, 500 North Broad Street, Elizabeth, N.J., for custodial, security, and bus services for the S.O.A.R Summer Program utilizing the Nicholas Murray Butler School #23 and Dunn Sports Center Pool, for the period July 8, 2019 through August 16, 2019.

Amend resolution adopted September 10, 2019, authorizing the execution of CD45 2019-2020 Community Development Block Grant (CDBG) in the amount of \$1,574,354.00 and Emergency Solutions Grant in the amount of \$151,035.00, specifically to acknowledge the Certificate of Availability of Funds request to the Finance Department; the Certification of Extraordinary Unspecifiable Service (EUS) on file for every funded activity on Schedule A; and to correct Schedule A to reflect the changes as follows: New GL Acct.# for the Miller Playground Activity and changes to the Emergency Solution Grant breakdown of funds showing the total amount awarded in 2019 and total Program Income (PI).

Rescind resolutions adopted October 9, 2018, November 13, 2018 and June 25, 2019, related to the construction of sixty (60) affordable housing units in which nineteen (19) will be HOME assisted units and three (3) will be RCA assisted units in connection with the project located at 158-168 First Street, 200-206; 208-210; 212-214 Third Street, authorizing a Home Rental Housing Program Loans in the amount of \$1,157,402.00; due to a change of owner/applicant and revision of purpose of funds specifically to authorize a Home Rental Housing Program Deferred Payment Loan to E-Town Housing and Community Development Corporation.

NEW BUSINESS (cont'd)

Adopt a resolution in support of the proposed New Jersey Department of Transportation's (NJDOT) intersection improvements to Route 27 (Rahway Avenue) at Route 439 (South Elmora Avenue).

Establish liens for the boarding up of properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$1,106.88.

Establish liens for the removal and disposal of debris on properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$2,780.92.

Adopt the City of Elizabeth, Department of Public Works, Division of Engineering Procedure for Administration and Inspection of Federal Aid Highway Projects Dated May 1, 2019, to complete the City's Federal Aid Eligibility Assessment for Federal Funds earmarked for the Kapkowski Road – North Avenue East Improvement Project for improvements to five (5) signalized intersections and lowering of a railroad underpass.

Authorize the proper City officials to apply, accept and sign all appropriate documents for the Hudson River Foundation for Science and Environmental Research, Inc. New York – New Jersey Harbor and Estuary Grant Program, Assessment of Combined Sewer System Vulnerability to Sea Level Rise Grant Services Agreement, in an amount of \$2,000.00.

Adopt a resolution of non-support of the New Jersey Department of Transportation's (NJDOT), proposed replacement of the Cherry Street (NJ Route 27 Northbound) and the Chilton Street (NJ Route 27 Z-Southbound) Bridges over the former CNJRR (abandoned).

Authorize the award of a contract to Johnson, Mirmiran & Thompson, Inc. (JMT), 1200 Lenox Drive, Trenton, N.J., to provide professional engineering services in connection with the design and construction administration of the milling and resurfacing of Division Street, Dowd Avenue and York Street, in the amount not to exceed \$236,000.00 plus reimbursables.

Rescind resolution adopted June 11, 2019, which established a handicapped parking space in front of the premises located at 1019 Anna Street, Apt.# 1-B. (now personalized)

Authorize settlement in the worker's compensation litigation matter of Dubeau vs. the City in the total amount of \$46,296.00.

Pay Utility Bills

Approve Bingo and Raffle Licenses

COMMENDATIONS:

Elisabeth Point Du Jour

) Recognized by President Susan A. Cole,
) Montclair State University, in her President's Address to
) the University Community on September 3, 2019

MEMORIALS:

Rocco Antonio Guiducci

ADJOURNMENT