

CITY COUNCIL - ELIZABETH, N. J.  
REGULAR MEETING - TUESDAY, NOVEMBER 22, 2022

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. 5750 - An Ordinance to amend Chapter 3.24 of the Code of the City of Elizabeth entitled "Tax on Fees for Parking" to repeal Section 3.24.080(D).
- ORD. NO. 5751 – An Ordinance to amend Chapter 10.28 of the Code of the City of Elizabeth Entitled, "Parking Restrictions Generally" specifically to amend schedules for 15-minute and two-hour timed parking zones.
- ORD. NO. 5752 - An Ordinance to grant 190 Union Redevelopment Urban Renewal, LLC, owner of Tax Account No. 6-1407 the right to use parking spaces along the westerly sideline of Union Street between West Jersey Street and West Grand Street.

**FISCAL YEAR 2023 MUNICIPAL BUDGET IN THE AMOUNT OF \$304,837,233.78;  
FISCAL YEAR 2023 SEWER UTILITY BUDGET IN THE AMOUNT OF \$32,000,000.00;  
FISCAL YEAR 2023 CAPITAL BUDGET IN THE AMOUNT OF \$218,976,400.00.**

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 2, 2022, from the Business Administrator recommending awarding a contract to Morton Salt, Inc., 444 West Lake Street, Suite 3000, Chicago, IL for the purchase of Bulk Rock Salt for the Public Works Department for the period of November 1, 2022, through October 12, 2023, at a cost not to exceed \$538,580.00. Which was received.

By the Clerk:

Letter dated November 2, 2022, from the Business Administrator request authorization for the proper City officials to obtain an insurance policy with The Guardian Insurance, through its agent-of-record Economic Planning Group/Palmieri Financial, 99 Wood Avenue South, Suite 201, Iselin, NJ offering a continuation of benefits for Group Life Insurance/Accidental Death and Dismemberment Program for the active and retired employees; rates are guaranteed for a one-year period; for the period of January 1, 2023, through December 31, 2023, term is estimated not to exceed \$300,000.00. Which was received.

By the Clerk:

Letter dated November 2, 2022, from the Business Administrator recommending awarding a contract to SHI International Corp., 290 Davidson Avenue, Somerset, NJ for the purchase of a Replacement Battery Backup (UPS) for the Elizabeth Police Department at a cost of \$28,650.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated November 2, 2022, from the Business Administrator recommending awarding a contract to Motorola Solutions, Inc., P.O. Box 161, Wharton, NJ for the purchase of Multi Band Radios for the Fire Department at a cost of \$1,319,985.00. Which was received.

By the Clerk:

Letter dated November 3, 2022, from the Business Administrator recommending awarding a contract to Firefighter One Limited, 34 Wilson Drive, Sparta, NJ for the purchase of Rescue Rope/Equipment for the Elizabeth Fire Department at the total amount of \$86,564.24. Which was received.

By the Clerk:

Letter dated November 3, 2022, from the Business Administrator request authorization for the proper City officials to participate in a State Contract with Witmer Public Safety Group, 101 Independence Way, Coatesville, PA to purchase MSA Thermal Imaging Cameras for the Fire Department as replacements due to Hurricane Ida at the total cost of \$203,056.08. Which was received.

By the Clerk:

Letter dated November 7, 2022, from the Business Administrator request that your Honorable Body consider rejecting the sole bid received from American Wear, Inc., 261 North 18<sup>th</sup> Street, East Orange, NJ due to not providing an acceptable bid bond and consent of surety with their bid and authorize the Purchasing Agent to re-bid for same. Which was received.

By the Clerk:

Letter dated November 7, 2022, from the Business Administrator recommending the renewal of the contract with Highway Service Corp., 548 Trumbull Street, Elizabeth, NJ for Police Authorized Towing for the second year under the same terms and conditions as the current contract from November 23, 2022, through November 22, 2023, at no cost to the City. Which was received.

By the Clerk:

Letter dated November 9, 2022, from the Business Administrator advising that being satisfied that an emergency did exist, recommends the award of a contract to Stewart Amos Equipment Company, 2700 Paxton Street, Harrisburg, PA to purchase parts and repairs for a 2018 Stewart Amos Street Sweeper #162 in the amount of \$41,571.90. Which was received. F.I.O.

By the Clerk:

Letter dated November 9, 2022, from the Business Administrator recommending awarding a contract to Elizabethtown Gas, 520 Green Lane, Union, NJ to provide a gas main extension and new gas service at 417-429 South First Street in the amount of \$31,749.21. Which was received.

By the Clerk:

Letter dated November 9, 2022, from the Business Administrator request authorization for the proper City officials to execute and issue a Hold Harmless Agreement and Certificate of Insurance to The County of Union, 10 Elizabethtown Plaza, Elizabeth, NJ for the purpose of using equipment at the Annual Holiday Tree Lighting Ceremony at Union Square, Elizabeth Avenue and First Avenue, to be held on November 29, 2022. Which was received.

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

By the Clerk:

Letter dated November 10, 2022, from the City Attorney request to amend Chapter 12.56 of the Code of the City of Elizabeth, entitled “Festivals”, specifically to create uniformity in how the Bureau of Central License issues Festival Permits and the special event operators are meeting their obligations in permitting for a special event. Which was received.

By the Clerk:

Letter dated November 14, 2022, from the Chief Financial Officer advising in compliance with the SFY 2016 Appropriations Act that your Honorable Body approve all payments related to accumulated/uncompensated absence benefits. Which was received.

By the Clerk:

Letter dated November 14, 2022, from the Chief Financial Officer advising that temporary emergency appropriations for the 2023 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated November 10, 2022, from the Director of Planning and community Development request that your Honorable Body consider amending the Code of the City of Elizabeth Chapter 8.16 entitled “Demolition Containers, Dumpsters and Roll-Off Shipping Containers”, specifically to begin regulating their use on private property. Which was received.

By the Clerk:

Letter dated November 3, 2022, from the Director of Public Works request authorization for the proper City officials to apply, accept, sign and or digitally sign all appropriate documents including reimbursement forms for the NJ Department of Transportation’s Local Freight Impact Fund FY 2023, anticipated funding will allow for the milling and resurfacing approximately 4.6 miles of Atalanta Plaza, Kapkowski Road, Papetti Plaza, Puleo Plaza, Slater Drive, Veterans Memorial Drive and portions of First Street and Trumbull Street consisting of design, bidding and construction phases amount not to exceed \$3,500,000.00. Which was received.

By the Clerk:

Letter dated November 7, 2022, from the Director of Public Works request to amend the resolution adopted on June 14, 2022, authorizing the proper City officials to apply, accept and sign all appropriate documents for the Safe Streets and Roads for All grant opportunity, administered by the United States Department of Transportation, for an amount not to exceed \$500,000.00, specifically to authorize the proper City officials to apply, accept and sign all appropriate documents, to submit a consolidated application with Union County as the lead agency and authorize the City to enter into a Memorandum of Agreement with Union County setting forth the responsibilities of each party; application associated with the City’s revised study area is not to exceed \$300,000.00; City would be required to provide a 20% match. Which was received.

By the Clerk:

Letter dated November 7, 2022, from the Director of Public Works request permission to have liens placed against listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of \$6,089.84. Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

ORD. NO. 5753 - An Ordinance to make various amendments to Chapter 12.56 of the Code of the City of Elizabeth, entitled “Festivals”, including renaming the Chapter to “Special Events”, in order to create a more efficient permitting process.

ORD. NO. 5754 - An Ordinance to amend the Code of the City of Elizabeth Chapter 8.16 Entitled, “Demolition Containers, Dumpsters and Roll-Off Shipping Containers”, specifically to begin regulating their use on private property.

ORD. NO. 5755 - An Ordinance to amend Section 5.70.250 of the Code of the City of Elizabeth to extend date the expiration date of Chapter 5.70, entitled “Rent Control and Stabilization” to December 31, 2024 and to amend Section 5.70.060 to remove the twenty dollars limit to increase base rent, leaving three percent as the maximum increase of base rent permitted.

ORD. NO. 5756 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Jose Bonilla, 448 Franklin Street, Elizabeth, New Jersey.

ORD. NO. 5757 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Reina Vasquez, 229 Bond Street, Apt. 1, Elizabeth, New Jersey.

ORD. NO. 5758 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Franklin Souffrant, 210 Clark Place, Fl. 2, Elizabeth, New Jersey.

ORD. NO. 5759 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Izabella Maciejak, 328 Fulton Street, 2<sup>nd</sup> Floor, Elizabeth, New Jersey.

ORD. NO. 5760 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Yensy Wiggins, 417 Fulton Street Apt 2-L, Elizabeth, New Jersey.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, DECEMBER 13, 2022 AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

ORD. NO. 5750 - An Ordinance to amend Chapter 3.24 of the Code of the City of Elizabeth entitled “Tax on Fees for Parking” to repeal Section 3.24.080(D).

ORD. NO. 5751 – An Ordinance to amend Chapter 10.28 of the Code of the City of Elizabeth Entitled, “Parking Restrictions Generally” specifically to amend schedules for 15-minute and two-hour timed parking zones.

ORD. NO. 5752 - An Ordinance to grant 190 Union Redevelopment Urban Renewal, LLC, owner of Tax Account No. 6-1407 the right to use parking spaces along the westerly sideline of Union Street between West Jersey Street and West Grand Street.

**NEW BUSINESS**

Authorize Temporary Emergency Appropriations for the 2023 Fiscal Year Municipal and Sewer Utility Budgets, in the amount of \$2,161,718.00

Introduce and approve Fiscal Year 2023 Budget Amendments. **(TO BE READ IN FULL)**

**(PUBLIC HEARING AND FURTHER CONSIDERATION TO BE HELD TUESDAY, EVENING, DECEMBER 13, 2022 AT 7:30 P.M.)**

Authorize the award of a contract to Morton Salt, Inc., 444 West Lake Street, Suite 3000, Chicago, IL, for the purchase of Bulk Rock Salt for the Department of Public Works through the Union County Cooperative for the period November 1, 2022 through October 12, 2023, at a cost not to exceed \$538,580.00.

Authorize the proper City Officials to obtain and execute a contract with The Guardian Life Insurance, through its agent-of-record Economic Planning Group/Palmieri Financial, 99 Wood Avenue South, Suite 201, Iselin, N.J., to provide Group Life Insurance/AD&D Program for Active and Retired employees of the City of Elizabeth, for a period of one (1) year for the period January 1, 2023 through December 31, 2023, term is estimated not to exceed \$300,000.00.

Authorize the award of a contract to SHI International Corp., 290 Davidson Avenue, Somerset, N.J., for the purchase of Replacement Battery (UPS) for the Elizabeth Police Department through the Bergen County Co-Op, at a total cost of \$28,650.00.

Authorize the award of a contract to Motorola Solutions, Inc., P. O. Box 161, Wharton, N.J., for the purchase of Multi Band Radios for the Fire Department, at a cost of \$1,319,985.00.

Authorize the award of a contract to Firefighter One Limited, 34 Wilson Drive, Sparta, N.J., for the purchase of Rescue Rope/Equipment for the Elizabeth Fire Department through the Morris County Co-Op, at the total amount of \$86,564.24.

Authorize the award of a contract to Witmer Public Safety Group, 101 Independence Way, Coatesville, PA, to e purchase MSA Thermal Imaging Cameras for the Fire Department, as replacements due to Hurricane Ida, at the total cost of \$203,056.08.

Reject the sole bid received October 13, 2022, received from American Wear, Inc. 261 North 18<sup>th</sup> Street, East Orange, N.J., for the provision of renting work clothes for various departments, for a period of three (3) years commencing on the date of the award and authorize the Purchasing Agent to re-bid for same.

Authorize the renewal of a contract with Highway Service Corporation, 548 Trumbull Street, Elizabeth, N.J., for Police Authorized Towing and Storage Services for the second year for a period of one year from November 23, 2022 through November 22, 2023, under the same terms and conditions with an option to renew for a third year, at no cost to the City.

Authorize the award of a contract to Elizabethtown Gas, 520 Green Lane, Union, N.J., to provide a gas main extension and new gas service at 417-429 South First Street, Elizabeth, N.J., for the Department of Public Works, in a total cost of \$31,749.21.

Authorize the proper City Officials to execute and issue a Hold Harmless Agreement and Certificate of Insurance to the proper Officials at the County of Union, 10 Elizabethtown Plaza, Elizabeth, N.J., for the purpose of using equipment at the Annual Holiday Tree Lighting Ceremony at Union Square, Elizabeth Avenue and First Avenue, to be held on Tuesday, November 29, 2022.

Authorize the proper City Officials to apply, accept, sign and all appropriate documents for the New Jersey Department of Transportation's Local Freight Impact Fund FY 2023, for the "Milling and Resurfacing of Atalanta Plaza, Kapkowski Road, Papetti Plaza, Puleo Plaza, Slater Drive, Veterans Memorial Drive and portions of First Street and Trumbull Street" consisting of design, bidding and construction phases, for an amount not to exceed \$3,500,000.00.

**NEW BUSINESS (cont'd)**

Amend resolution adopted on June 14, 2022, authorize the proper City Officials to apply, accept and sign all appropriate documents for the Safe Streets and Roads for All (SS4A) Discretionary Grant opportunity, administered by the United States Department of Transportation for an amount not to exceed \$500,000.00 specifically to authorize the proper City Officials to apply, accept and sign all appropriate documents to submit a consolidated application with the County as the lead agency and authorize the City to enter into a Memorandum of Agreement with the County setting forth the responsibilities of each party; the application associated with City's revised study area is not to exceed \$300,000.00; The City would be required to provide a 20% match for its portion of the Grant.

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 \$6,089.84.

Authorize the payment of One Hundred Seventy Thousand, Eight Hundred Forty-one Dollars 08/100 (\$170,841.08) to the Law Firm of Greenbaum, Rowe, Smith & Davis, LLP, for their representation of the City of Elizabeth in the litigation of the City of Elizabeth v. Reinforced Earth Company, et al.

Pay Utility Bills

Approve Bingo and Raffle Licenses

**COMMENDATIONS:**

**MEMORIALS:**

Rev. Joseph Garlic  
Martha Fiorillo Uribe

**ADJOURNMENT**