

**TRENTON CITY COUNCIL
CONFERENCE SESSION
TUESDAY, OCTOBER 18, 2016 AT 5:35 P.M.**

The meeting was called to order by Council President Zachary A. Chester and the Open Public Meetings Act statement was read which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Laws 1975, Chapter 231. The Agenda for this meeting was sent to the Trenton Times Newspaper, posted on the first floor bulletin board in City Hall, and filed in the City Clerk's office on, October 14, 2016."

ROLL CALL	PRESENT	ABSENT	EXCUSED
Mr. Bethea	✓		
Ms. Caldwell-Wilson	✓		Excused/v
Mr. Harrison			
Ms. Holly-Ward	✓		Excused/v
Mr. Muschal			
Ms. Reynolds-Jackson	✓		
Mr. Chester	✓		

Also in attendance: Richard Kachmar, City Clerk, Terry McEwen, Business Administrator, Marc McKithen, Esq., Law Director, Jim Brownlee, H&HS; Qareeb Bashir, TFD; Ernest Parrey, Jr., TPD; Merkle Cherry, Public Works, Les Graham, Inspections and Diana Rogers, H&ED

EXECUTIVE SESSION – Attorney/Client Privilege – Personnel

16-653 RESOLUTION AUTHORIZING MEETING WHICH EXCLUDES THE PUBLIC (ATTORNEY/CLIENT PRIVILEGE – PERSONNEL)

Motion for Executive Session passed with the following vote:

RES.16-653	1st	2nd	YES	NO	ABSTAIN	ABSENT
Mr. Bethea			✓			
Ms. Caldwell-Wilson		✓	✓			
Mr. Harrison						Excused/v
Ms. Holly-Ward			✓			
Mr. Muschal						Excused/v
Ms. Reynolds-Jackson	✓		✓			
Mr. Chester			✓			

Motion to Amend the Agenda to hold Executive Session following Public Comment made by Ms. Reynolds-Jackson; seconded by Mr. Bethea. All in Favor. Aye.

PRESENTATIONS:

Res. 16-638- Recognizing October 2016 as Breast Cancer Awareness Month

Appearance: Officers and Members of DIVAS

Res. 16-639 – Recognizing Dr. Mark R. McLaughlin, Core Sponsor of Trenton's Beat the Streets Youth Wrestling Program

Appearance: Dr. Mark R. McLaughlin

CERTIFICATES OF Recognition
Latino Merchants Association

DOCKET REVIEW

1. COMMUNICATIONS AND PETITIONS

- 1a Notice of Environmental Rights Act Claim concerning environmental contamination. Property Listed: 350 Grand Street, Trenton, NJ.
- 1b Civil Summons and Complaint in Foreclosure – Filed by Ian V. Gallo, Esq., McCabe, Weisberg and Conway, P.C., Suite 201, 216 Haddon Avenue, Westmont, NJ – Representing Ditech Financial, LLC vs. Paul E. Baldassari, Mrs. Baldassari, Wife of Paul E. Baldassari and The Bank of Princeton. Property Listed: 118 Culbertson Avenue, Trenton, NJ.
- 1c Civil Notice of Motion for the Entry of an Order Setting Time, Place and Amount of Redemption

- Filed by Michael Pellegrino, Esq., Pellegrino & Feldstein, LLC. 290 West Route 46, Denville, NJ
- Representing Paramount Developers, LLC vs. Kenneth Campbell, Charles Pasquarille; City of Trenton. Property Listed: 238 Cummings Avenue, Trenton. NJ.
- 1d Civil Action Final Judgment – Filed by Rebecca D. Boudwin, Esq., Comegno Law Group, P.C., 521 Pleasant Valley Avenue, Moorestown, NJ – Representing Community Capital, LLC, vs. Passaic Street Housing, LLC; State of NJ; State of NJ acting by and through the NJ Department of Community Affairs; City of Trenton; and RREF II IB Acquisitions, LLC.
- 1e Civil Action Notice of Motion for Entry of Final Judgment – Filed by Patrick Wesner, Esq., McCabe, Weisberg & Conway, P.C., 216 Haddon Avenue, Suite 201, Westmont, NJ – Representing NJ Housing & Mortgage Finance Agency vs. Beverly Holloway, et. al.
- 1f NJ Department of Transportation letter to The Louis Berger Group, Inc., to conduct cultural resource investigations for the proposed Route 29 Cass Street to Calhoun Drainage Project.
- 1g Tort Claim Notice for Property Damage – Filed by Merrick Wilson – 1332 Moon Drive, Yardley, PA 19067 – Against the City of Trenton.
- 1h Civil Foreclosure – Filed by Sanford J. Becker, Esq., Pluese, Becker & Saltzman, LLC, 2000 Horizon Way, Suite 900, Mount Laurel, NJ – Representing Federal National Mortgage Association vs. Philip Fuhrer, et. al. Property Listed: 656 Lambertson Street, Trenton, NJ.
- 1i Civil Foreclosure – Filed by Sarah E, Powers, Esq., PowersKinn, LLC., 728 Marne Highway, Suite 200, Moorestown, NJ – Representing The Bank of New York Mellon Trust Company, N.A., fka, The Bank of New York Trust Company, N.A., as Successor-In-Interest to JP Morgan Chase Bank, NA, as Trustee for NOMURA Asset Acceptance Corporation Reperforming Loan REMIC Trust Series 2004-\$3 vs. Gerald C. Hicks, et. al. Property Listed: 731 Whittaker Avenue, Trenton, NJ.
- 1j Civil Action Summons Complaint and Jury Demand – Filed by Kenneth W. Thayer, Esq., Gaylord Popp, LLC., 750 Bear Tavern Road, Suite 308, Trenton, NJ – Representing Chinelo Williams vs. Woodrose Properties Golden Swan, City of Trenton, et. al.
- 1k Tort Claim Notice for Personal Damage – Filed by Robert W. Rubinstein, Esq., The Rubinstein Law Firm, LLC, 1675 Whitehorse Mercerville Road, Hamilton, NJ – Representing Mark S. Gilbert, 9 Captiva Court, Hamilton, NJ – Against the City of Trenton.
- 1l Tort Claim Notice of Property Damage – Davina D. Livingston, 29 Montgomery Place, Trenton, NJ vs. The City of Trenton.
- 1m Notice of Sheriff's Sale – Shapiro & Denardo, LLC, 14000 Commerce Parkway, Ste B, Mt. Laurel, NJ – Date of Sale February 14, 2017. Property Listed: 3 New Hillcrest Avenue, Ewing, NJ.
- 1n United States Bankruptcy Court District of NJ – Application to Extend the Time to File Missing Documents – Stevie Richardson, 618 Riverside Avenue, Trenton, NJ.
- 1o Notice of Mandatory Electronic Filing Deficiency Notice sent to John V. Dember, Esq., Representing – 141 Mercer Street, LLC. vs. City of Trenton.
- 1p Civil Action First Amended Complaint – Filed by Amber J. Monroe, Esq., Gary C. Zeitz, LLC, 1101 Laurel Oak Road, Ste. 170, Voorhees, NJ – Representing Pro Cap III, LLC by its Custodian US Bank vs. Raintree Holdings, LLC; Davina Holdings, LLC; State of NJ; Stewart Shaw; City of Trenton, et. al.
- 1q Tort Claim Notice for Property Damage – Filed by Lashonne Robin Phillips, 61 Wayne Avenue, Trenton, NJ – Against the COT.
- 1r Civil Action Summons Foreclosure – Filed by Shirley E. Pimm, Esq., Phelan Hallinan Diamond & Jones, PC, 400 Fellowship Road Suite 100, Mt. Laurel, NJ – Representing Wells Fargo Bank, N.A., vs. Hiroko Tapia; Mr. Tapia; Husband of Hiroko Tapia; City of Trenton; NJ Housing and Mortgage Finance Agency; NJ Department of Community Affairs-Council on Affordable Housing; State of NJ.
- 1s Civil Writ of Wage Execution – Stephen E. Lundy, Esq., Pressler and Pressler, LLP, 7 Entin Road, Parsippany, NJ – Representing New Century Financial Services, Inc., vs. Joseph Paasewe, II.
- 1t Tort Claim Notice for Property Damage – Filed by Sterling L. Terry, 865 Lower Ferry Road, #302, Ewing, NJ – Against the City of Trenton.

2. REPORTS

- 2a City Clerk's Office – Submitting the revenue report for the month of September, 2016 for funds collected by the City Clerk's Office staff – Total \$8,698.86

3. MINUTES FOR APPROVAL

Conference Session, October 4, 2016 Regular Meeting, October 6, 2016

4. RESOLUTIONS

16-638 RESOLUTION RECOGNIZING OCTOBER 2016 AS BREAST CANCER AWARENESS MONTH IN THE

- CITY OF TRENTON
- 16-639 RESOLUTION HONORING DR. MARK R. McLAUGHLIN FOR HIS MANY CONTRIBUTIONS TO TRENTON'S BEAT THE STREETS YOUTH WRESTLING PROGRAM
- 16-640 RESOLUTION APPROVING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE# 1111-33-197-012 FROM TIMOTHY'S, INC. TO RAMONITA, INC.
- 16-641 RESOLUTION GRANTING RENEWAL OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE# 1111-33-126-006, BALCONE, VINO & CUCINA, INC. FOR THE 2016-2017 LICENSING PERIOD
- 16-642 RESOLUTION GRANTING RENEWAL OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE# 1111-33-234-011, MATA HOLDINGS, LLC. FOR THE 2016-2017 LICENSING PERIOD
- 16-643 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO HORIBA INSTRUMENTS, INCORPORATED/SPEX FORENSICS DIVISION, 3880 PARK AVENUE, EDISON, NJ FOR THE PURCHASE, DELIVERY AND INSTALLATION OF A UNIVERSAL IMAGING SYSTEM IN AN AMOUNT NOT TO EXCEED \$51,620.00 – BID2016-77
- 16-644 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO MARK GIALLELLA, 2061 PENNINGTON ROAD, EWING, NJ TO PROVIDE TELEPHONE CABLING, COMPUTER CABLING, INSTALLATION AND REPAIR OF CENTREX TELEPHONE LINES AND SUPPORT CISCO VOICE OVER IP TELEPHONE SYSTEM FOR THE DEPARTMENT OF ADMINISTRATION IN AN AMOUNT NOT TO EXCEED \$100,000.00 PER YEAR – BID2016-82

Mr. Bethea requested the present status of this project. Mr. McEwen explained that the current security systems are being updated and will include WI-FI and fiber optics in the building. This will award a contract which will allow our present contractor Mark who has been doing the work for 24 years. He was the only bidder so it was awarded back to him. Mr. Bethea inquired if this is needed and informed that it is and included in the budget.

- 16-645 RESOLUTION AUTHORIZING PAYMENT FOR A CONTRACT WITH GRES PAVING CO., INC., 2475 EAST STATE STREET, TRENTON, NJ WHICH WAS AWARDED ON AN EMERGENCY BASIS FOR THE EMERGENCY ROADWAY RESTORATION SERVICES FOR THE CITY OF TRENTON, TRENTON WATER WORKS IN AN AMOUNT NOT TO EXCEED \$56,260.00
- 16-646 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO ARMANDO'S CONSTRUCTION, 311 DICKINSON STREET, EWING, NJ FOR INSTALLATION OF BOLLARDS AND CHAINS, LOWER ASSUNPINK GREENWAY SITES, NOTTINGHAM WAY AND MULBERRY STREET IN AN AMOUNT NOT TO EXCEED \$23,295.00 – BID2016-72
- 16-647 RESOLUTION REJECTING BIDS RECEIVED FOR FY'2017 ROADWAY RESTORATION FOR TOWNSHIPS – BID2016-68
- 16-648 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO JACK DOHENY COMPANY, INCORPORATED, PO BOX 609, NORTHVILLE, MI FOR THE FURNISHING AND DELIVERY OF ONE (1) 2016 800 HPR SERIES III ECO TRUCK MOUNTED SEWER JETTER FOR TRENTON SEWER UTILITY IN AN AMOUNT NOT TO EXCEED \$218,500.00 – BID2016-67

Mr. Bethea questioned the necessity of this purchase and was it included in the budget. Mr. McEwen confirmed that it was in the budget. Mr. Chery confirmed that this item is in the budget and it is needed to clear the storm and sewer lines. The city has been managing through the use of outdated equipment that requires replacement. Mr. McEwen added that most of the COT vehicles have an average life of 20.5 years.

- 16-649 RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2017 FORD F-250 4WD PICKUP TRUCK WITH ADDITIONAL ACCESSORIES FOR THE CITY OF TRENTON TO CHAS S. WINNER, D/B/A/ WINNER FORD, 250 BERLIN ROAD, CHERRY HILL, NJ THROUGH NJ STATE CONTRACT T-2100 NO. A88726 IN AN AMOUNT NOT TO EXCEED \$37,719.00
- 16-650 RESOLUTION AUTHORIZING CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH JANI-KING OF PHILADELPHIA INCORPORATED, 2500 EISENHOWER AVENUE, NORRISTOWN, PA TO PROVIDE CLEANING SERVICES AT TRENTON POLICE DEPARTMENT AND TRENTON MUNICIPAL COURT, 225 NORTH CLINTON AVENUE

Mr. Bethea requested an amount of payment for this service. Mr. McKithen provided an estimated annual amount of about \$118,000 as the specific amount was not available. Ms. Holly-Ward requested clarity on the correction amount. She commented on the state of the TPD and called for funding updates and if there is a plan. Ms. Holly-Ward commented that it is a reflection of how we treat our law enforcement.

- 16-651 TRENTON AUTHORIZING CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH DEWCON, INC., PO BOX 439, BASKING RIDGE NJ FOR A FIVE YEAR PROJECT FOR WATER SYSTEMS DISTRIBUTION IMPROVEMENT INCLUDING CLEANING AND CEMENT MORTAR LINING OF CAST IRON WATER MAINS, INSTALLATION OF NORTH AREA OF EWING TOWNSHIP NJDEP PROJECT NO. 11110001-008 FOR THE CITY OF TRENTON, DEPARTMENT OF PUBLIC WORKS, DIVISION OF TRENTON WATER WORKS – BID2013-73
- 16-652 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO BRIAN HOSKINS FORD, 2601 LINCOLN HIGHWAY, COATSVILLE, PA FOR THE FURNISHING AND DELIVERY OF ONE (1) FORD F-450 4X4 REGULAR CAB TRUCK IN AN AMOUNT NOT TO EXCEED \$72,200.00 – BID2016-63

Mr. Bethea inquired about the necessity, amount and if this item was included in the budget. Mr. McEwen confirmed that this is in the budget to replace an outdated model. He inquired as to why this wasn't a more recent purchase. Mr. Bethea remarked that if this type of item is required that it should be ordered expeditiously. Mr. Chery explained that this presented because of the process of going through the State Co-operative vender and the item being available. Mr. Bethea remarked that he would prefer to have these expenses presented and addressed sooner than later.

- 16-653 RESOLUTION AUTHORIZING MEETING WHICH EXCLUDES THE PUBLIC (ATTORNEY/CLIENT PRIVILEGE – PERSONNEL) [formal action taken on 10/18/16]
- 16-654 RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE FY2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE RECOVERY GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE

Mr. McEwen explained that this is a federal grant to allow for the purchase of body armor. Mr. Parrey explained that this is essential for execution of vital police work and of an urgent nature. Ms. Caldwell-Wilson inquired if the COT was required to match funds. Mr. Parrey indicated no. Mr. Kachmar announced that this would be added to the Docket for the Thursday Council Meeting.

OLD BUSINESS

- 16-591 RESOLUTION FIXING COMPENSATION FOR THE MAYOR, BUSINESS ADMINISTRATOR, MUNICIPAL JUDGES, CHIEF MUNICIPAL JUDGE AND DEPARTMENT DIRECTORS OF THE CITY OF TRENTON
- 16-616 RESOLUTION CREATING A POLICY OF THE CITY OF TRENTON ENTITLED CONTINUING EDUCATION REQUIREMENT FOR ELECTED OFFICIALS

5. ORDINANCES

PUBLIC HEARING AND 2ND READING

- 16-50 ORDINANCE ESTABLISHING SALARY RANGES FOR THE MAYOR, BUSINESS ADMINISTRATOR, MUNICIPAL JUDGES, CHIEF MUNICIPAL JUDGE AND DEPARTMENT DIRECTORS

Ms. Caldwell-Wilson requested clarity on the language of the annual terms which she found disparity in because she thought it would be retro and one year. Mr. McEwen explained that each year a resolution will be required for additional salary raises and the salary will be for retro and one year. Discussion continued and Mr. McKithen indicated that there would not be automatic salary increases. Mr. Chester confirmed that in the Code Book it is required to submit a resolution for approval each year because the salaries are set each year by Council. Discussion continued at length over salary range. Discussion continued regarding the removal of the Chief of Staff and the Deputy Directors salaries. Mr. Chester commented on the process of making a correction in a timely fashion from Office of the Business Administrator and obtaining required signatures from both the Law Office and the Law Department to allow for Council to receive the correct information.

- 16-51 ORDINANCE ESTABLISHING SALARY RANGES FOR CITY COUNCIL MEMBERS
- 16-63 ORDINANCE RE-AUTHORIZING THE DEVELOPER DESIGNATION AND EXECUTING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF TRENTON AND VISTA CENTER DEVELOPMENT, LLC., DATED OCTOBER 18, 2007 AND DISPOSITION AGREEMENT BETWEEN THE CITY OF TRENTON AND VISTA CENTER DEVELOPMENT, LLC., DATED APRIL 17, 2008
- 16-64 ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 150 OF THE CODE OF THE CITY OF TRENTON, "LITTERING,"

16-65 ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF TRENTON AND MARINE TERMINAL URBAN RENEWAL ASSOCIATES FOR THE CITY-OWNED PROPERTY LOCATED AT 1545 LAMBERTON STREET

CIVIC COMMENTS

Mr. Bethea requested that the Clerk get a card and have Council sign and send it to one of their members wishing him a speedy recovery.

Ms. Reynolds-Jackson inquired if the COT is banking with Wells Fargo. Ms. Blanco confirmed that the COT does. She also requested that the Best Practices be place on the Agenda for discussion for the Thursday Meeting for review prior to the submission date of April, 2017. Mr. McEwen provided additional information and comments on what will be required on the Best Practices and offered his estimate of what range the COT will fall into. Ms. Reynolds-Jackson asked if there had been a date scheduled for follow-up on the Sunoco Gas Station matter. Mr. Kachmar explained that he is still waiting to hear from the attorney. It was agreed to move forward and have Mr. Kachmar send him a letter to set a date. Ms. Reynolds-Jackson thanked Mr. Parrey for sending the Community Affairs Officer to the C-Pack Meeting. She praised the officer for his attentiveness and deemed it a success as well as the Communications Officer who provided information on procedure and protocol for emergency and non-emergency calls.

Mr. Chester called for a moment of silence in recognition of the passing of the Mercer County Democratic Chair, Rich McClellan.

PUBLIC COMMENTS

Motion to open Public Comment by Ms. Caldwell-Wilson; seconded by Mr. Bethea. All in Favor. Aye.

No speakers present

Motion to close Public Comment by Ms. Reynolds-Jackson; seconded by Ms. Caldwell-Wilson. All in Favor. Aye.

EXECUTIVE SESSION

Motion for Authorization for Executive Session Res. 16-653

	1st	2nd	YES	NO	ABSTAIN	ABSENT
Mr. Bethea			✓			
Ms. Caldwell-Wilson		✓	✓			
Mr. Harrison						✓
Ms. Holly-Ward			✓			
Mr. Muschal						✓
Ms. Reynolds-Jackson	✓		✓			
Mr. Chester			✓			

Motion to end Executive Session and reconvene Conference Session made by Mr. Bethea; seconded by Mr. Chester. All in favor aye

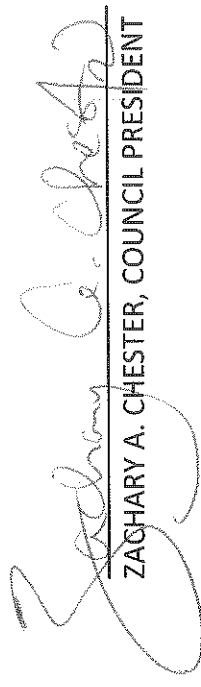
With no further business before Council; motion to adjourn Conference Session (at 6:51 p.m.) passed with the following vote:

	1st	2nd	YES	NO	ABSTAIN	ABSENT
Mr. Bethea	✓		✓			
Ms. Caldwell-Wilson		✓	✓			Excused/✓
Mr. Harrison						
Ms. Holly-Ward			✓			
Mr. Muschal						Excused/✓
Ms. Reynolds-Jackson			✓			
Mr. Chester			✓			

RESPECTFULLY SUBMITTED BY:


 RICHARD M. KACHIMAR, RMC
 CITY CLERK

Approved by Council on November 3, 2016


 ZACHARY A. CHESTER, COUNCIL PRESIDENT