PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
June **28,** 2011
7:30 p.m.

A regular meeting of the City Council was held this evening in the City Council Chamber, City Hall.

Council President Keenan announced that this regular meeting is listed in the "Annual Notice", as defined by Chapter 231, P.L. 1975, and that copies of the "Annual Notice" have been mailed or delivered to the Star Ledger, Home News and Tribune, and Cablevision of Elizabeth and posted and filed in the City Clerk's Office in compliance with the terms of the Open Public Meetings Law, Chapter 231, P.L. 1975 on December 28, 2010.

PRESENT: Council Members-at-Large: Patricia Perkins-Auguste;
[redacted], Edward Jackus;
Council Members: [redacted], 1st Ward;
Nelson Gonzalez, 2nd Ward; [redacted], 4th Ward;
William Gallman, Jr., 5th Ward; Frank O. Mazza, 6th Ward;
and President Joseph Keenan, 3rd Ward - 6

ABSENT: Cuesta, Grova, Cedeno - 3

ALSO PRESENT: Rocco DiPaola, Assistant City Attorney

In the absence of Councilman Cuesta, Councilman Gallman delivered the opening prayer and led all present in the Pledge of Allegiance to the American Flag.

PUBLIC SPEAKING

Mr. George Katigoritis, 137 Elmora Avenue, spoke regarding problems with vagrants. He continued that he is having a "hard time" with vagrants and this has been going on for a long time.

There being no one else present who desired to be heard, Council President Keenan declared the public hearing portion of the meeting closed.

PUBLIC HEARINGS

Council President Keenan announced that the next business in order would be a public hearing on **Ordinance No. 4221**, entitled:

AN ORDINANCE TO AMEND CHAPTER 2.20 OF THE CODE OF CITY OF ELIZABETH "PARKING ENFORCEMENT OFFICER", SPECIFICALLY SECTION 2.20.030 APPOINTMENT, TO INCREASE THE NUMBER OF PARKING ENFORCEMENT OFFICERS AT THE PARKING AUTHORITY FROM THREE (3) TO TEN (10).

This ordinance was adopted on its first reading at the meeting of City Council held on **June 14, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **June 20, 2011**.

The Clerk read the foregoing ordinance by title and Council President Keenan asked if there was anyone present who wished to speak either for or against the adoption of the ordinance.

There being no one else present who desired to be heard, Council President Keenan declared the public hearing portion of the meeting closed.

Council President Keenan announced that the next business in order would be a public hearing on **Ordinance No. 4222**, entitled:

AN ORDINANCE AUTHORIZING THE ADOPTION OF THE OAKWOOD PLAZA REDEVELOPMENT PLAN DATED FEBRUARY, 2011, AMENDED MAY 5, 2011 AS RECOMMENDED BY THE ELIZABETH PLANNING BOARD AND REVISED BY CITY COUNCIL ON JUNE 8, 2011.

This ordinance was adopted on its first reading at the meeting of City Council held on **June 14, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **June 20, 2011**.

The Clerk read the foregoing ordinance by title and Council President Keenan asked if there was anyone present who wished to speak either for or against the adoption of the ordinance.

There being no one else present who desired to be heard, Council President Keenan declared the public hearing portion of the meeting closed.

Council President Keenan announced that the next order of business would be a public hearing on the Historic Midtown Elizabeth Special Improvement District Budget for Fiscal Year 2011 in the amount of $355,250.00.

Council President Keenan asked if there was anyone present who wished to speak either for or against the adoption of the Historic Midtown Elizabeth Special Improvement District Budget for Fiscal Year 2011.

There being no one present who desired to be heard, Council President Keenan declared the public hearing portion of the meeting closed.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated June 14, 2011, from the Business Administrator recommending the award of a contract to Fanwood Crushed Stone Company., Division of Weldon Materials, Inc., 141 Central Avenue, Westfield, N.J., under the Union County Cooperative Purchasing Contract, to purchase road materials for the period June 9, 2011 through July 5, 2012, at a cost not to exceed $65,000.00.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Business Administrator recommending the award of a contract to Ribcraft USA, LLC, 88-100 Hoods Lane, Marblehead, MA, to purchase one (1) Rescue Water Craft for the Fire Department in the amount of $77,694.82.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Business Administrator recommending the award of contracts to provide electricity, through the New Jersey Sustainable Energy Joint Meeting (NJSEM), to Constellation New Energy, 810 Seventh Avenue, Suite 400, New York, NY, for Street Lighting Accounts at a rate of 10.4% below basic generation service, and to Reliant Energy Northeast, LLC, 1000 Main Street, Houston, TX, for Fixed Price Accounts at a rate of 18% below basic generation service.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Business Administrator recommending the award of a contract to Gametime, c/o MRC, P.O. Box 106, Spring Lake, NJ, for the purchase of replacement parts for various parks for the Recreation Department, at a total cost of $19,957.20.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Business Administrator recommending the award of a contract to Wolfington Body Company, Inc., 1315 Route 38, Hainesport, NJ, for one (1) Senior Citizen Bus for the Health Department, under the Somerset County Co-Op Contract, at a cost of $68,990.00.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Business Administrator recommending the award of a contract to Apple Computer, Inc., 12545 Riata Vista Circle, Austin, TX, for the purchase of one (1) IMac Computer for the City's Social Media Program of the Public Information Department at a cost of $2,667.00.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Business Administrator recommending awarding contracts for Traffic Signal Replacement Parts to Signal Control Products, Inc., 199 Evans Way, Branchburg, NJ, in the amount of $24,860.00; Traffic Parts, Inc., 27895 Robinson Road, Conroe, TX, in the amount of $11,902.80; General Traffic Equipment Corp., 259 Broadway, Newburgh, NY, in the amount of $8,418.00; and to Flemington Aluminum & Brass, Inc., 24 Junction Road, Flemington, NJ, in the amount of $160.20 for a combined total award of $45,341.00.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Business Administrator requesting to renew the Accident Insurance Policy with Hartford Insurance Company, through the agent-of-record, Hughes-Plumer Associates, covering Auxiliary Police Officers for the period July 1, 2011 to June 30, 2012, at an annual premium of $310.00.
Which was received.

By the Clerk:

Letter dated June 20, 2011, from the Business Administrator, advising that being satisfied that an emergency did exist, recommends the award of a contract to JPM Demolition, P.O. Box 5828, Newark, NJ, for the immediate demolition of a partial building at 160-170 First Street and demolition of 106 Court Street in the amount of $20,000.00.
Which was received.

By the Clerk:

Letter dated June 20, 2011, from the Business Administrator recommending the award of a contract to Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ, for the purchase of Police Officer Scheduling System Software, System Training, Annual Support and Upgrade Plan for the Police Department at a total cost of $70,700.00.
Which was received.

By the Clerk:

Letter dated June 20, 2011, from the City Attorney advising that subject to confirmation he herewith reappoints Teresa Iturralde Estrada to the position of Municipal Court Director of the Elizabeth Municipal Court for a term of three years.
Which was received.

By the Clerk:

Letter dated June 21, 2011, from the First Assistant City Attorney requesting authorization for the proper City officials to execute the informal accounting, release and refunding bond for one-ninth (1/9th) share totaling $42,603.51 of the Estate of Dorothy D. Black for use in the Elizabeth City Pound.
Which was received.

By the Clerk:

Letter dated June 10, 2011, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel outstanding and unclaimed tax credits as set forth in the attached schedule for Tax Year 2003 and the sum of $182,453.17 be credited to Miscellaneous Revenue not anticipated and 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.

By the Clerk:

Letter dated June 10, 2011, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel tax lien records premiums that are in excess of five years as listed on the attached schedule and the sum of $43,800.00 be credited to Miscellaneous Revenue not anticipated.
Which was received.

By the Clerk:

Letter dated June 21, 2011, from the Chief Financial Officer advising that additional grants may be appropriated in the 2011 SFY Budget by budget amendments.
Which was received.

By the Clerk:

Letter dated June 21, 2011, from the Chief Financial Officer advising that transfers for the 2011 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:

Letter dated June 21, 2011, from the Chief Financial Officer requesting City Council to consider approving the Cancellation of the 2011 SFY Over Expenditure-Trust Fund (CDBG) balance of $71,035.04 deemed not to be expendable for deficit purposes by audit evaluation and be transferred to Surplus.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated June 21, 2011, from the Chief Financial Officer requesting City Council to consider the approval of a bond ordinance that would authorize the design and implementation of a solar panel system on the roofs of eligible municipal buildings pursuant to a feasibility study to provide the necessary 100% match in order to qualify for a $1,000.000.00 Congressional Earmark that was awarded to the City; City would authorize obligations of $950,000.00 with a down payment of $50,000.00.
Which was received.

By the Clerk:
Letter dated June 21, 2011, from the Chief Financial Officer advising that a Dedication by Rider resolution may be necessary.
Which was received.

By the Clerk:
Letter dated June 21, 2011, from the Chief Financial Officer requesting that City Council consider re-appropriating $1,000,000 from Bond Ordinance No. 3560 (Broad Street Streetscape) and $1,700,000 from Bond Ordinance No. 3661 (Broad Street Streetscape) have not yet been bonded and are no long required; the re-appropriated funds will be dedicated to the North Broad Street; East Grand Street; Elizabeth Avenue; Transit Village Midtown Train Station and Morris Avenue.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Director of Health and Human Services requesting authorization for the proper City officials to execute any and all documents appropriate to enter into an agreement with the Elizabeth Youth Theater Ensemble to conduct the 2011 Summer Film and Performing Arts Workshop for Building Future Leaders at a cost not to exceed $17,000.00.
Which was received.

By the Clerk:
Letter dated June 15, 2011, from the Director of Planning and Community Development requesting authorization for the Mayor and City Clerk to accept and sign all appropriate documents necessary and appropriate related to the Federal Project Agreement for the Elizabeth River Trail.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to amend the agreement adopted December 26, 2010, between the City and Josephine's Place, specifically to extend the contract from June 30, 2011 to September 30, 2011.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to Partially Discharge the City's mortgage on the property located at 180A Front Street with Water's Edge, LLC, HOME funds; For Sale Housing, a fourth unit has been sold to Martha Suarez.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated June 17, 2011, from the Director of Planning and Community Development requesting to amend the grant agreement with the County of Union for Neighborhood Stabilization Program (NSP 1) Funds, specifically to extend the expiration date of this agreement to September 30, 2012.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to submit an Urban Enterprise Zone Proposal for Zone Assistance Funds for Elizabeth's Graffiti & Litter Removal Program, Phase – 5, for the period July 1, 2011 through June 30, 2012, in the amount of $227,793.00.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to submit an Urban Enterprise Zone Proposal for Zone Assistance Funds for the Commercial District Security Program for the period July 1, 2011 through June 30, 2012, in the amount of $566,765.00.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to submit an Urban Enterprise Zone Proposal for Zone Assistance Funds to fund six (6) Officers for Police Security for the period July 1, 2011 through June 30, 2012, in the amount of $575,782.00.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to submit an Urban Enterprise Zone Proposal for Zone Assistance Funds to provide funds for the Elizabeth Avenue Partnership Special Improvement District Funds – YR 11 for the period July 1, 2011 through June 30, 2012, in the amount of $167,062.50.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to submit an Urban Enterprise Zone Second Generation Funds Proposal for the Urban Enterprise Zone Financial Lending Programs – Phase V, for the period July 1, 2011 through June 30, 2012, in the amount of $1,381,645.00.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization of the 2012 Urban Enterprise Zone Administration Budget in the anticipated Urban Enterprise Zone Assistance Funds in the amount of $440,000.31 and authorization for the proper City officials to enter into an agreement with the Elizabeth Development Company for the administration of the Urban Enterprise Zone Program and the Urban Enterprise Zone Second Generation Funds for the period of July 1, 2011 through June 30, 2012.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to amend the Urban Enterprise Zone Façade Improvement Programs – Phase VI, specifically to increase the current grant program limits and to extend the expiration date until December 31, 2011.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to amend the Urban Enterprise Zone contract for the Elizabeth Commercial District Graffiti Removal Project, specifically to extend the expiration date until December 31, 2011.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to amend the Urban Enterprise Zone contract for the Urban Enterprise Zone Façade Improvement Program, specifically to extend the expiration date until December 31, 2011.
Which was received.

By the Clerk
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to amend the Urban Enterprise Zone contract for the Elizabeth Close Circuit TV Public Security Project, specifically to extend the expiration date until June 30, 2012.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to amend the Urban Enterprise Zone contract for the Way-Finding Program Project Design Services, specifically to extend the expiration date until December 31, 2011.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to amend the Urban Enterprise Zone contract for the Liberty International Initiative Project, specifically to extend the expiration date until June 30, 2012.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Planning and Community Development requesting authorization to amend the Urban Enterprise Zone contract for the Elizabethport Infrastructure Streetscape Project, specifically to extend the expiration date until December 31, 2011.
Which was received.

By the Clerk:
Letter dated June 16, 2011, from the Director of Public Works recommending the award of a contract to English Paving Company, Inc., 650 Route 46 West, Clifton, NJ, for the 2011 Road Resurfacing Program – Phase – 1, at a cost of $524,703.92.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated June 16, 2011, from the Director of Public Works recommending the award of a contract to Black Rock Enterprises, LLC, 208 West Greystone Road, Old Bridge, N.J., for the 2011 Road Resurfacing Program – Phase 2, at a cost of $996,509.99.
Which was received.

By the Clerk:
Letter dated June 17, 2011, from the Director of Public Works recommending the award of a contract to DeFino Contracting Company, 28 Industrial Drive, Cliffwood Beach, N.J., for the 2011 Road Resurfacing Program - Phase 3, at a cost of $1,039,000.00.
Which was received.

By the Clerk:
Letter dated June 17, 2011, from the Director of Public Works recommending the award of a contract to J.A. Alexander, Inc., 130 John F. Kennedy Drive North, Bloomfield, N.J., for the 2011 Road Resurfacing Program – Phase 4, at a cost of $1,197,076.09.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Public Works recommending the award of a contract to Envar Services, Inc., 505 Milltown Road, New Brunswick, NJ, to provide marina and waterfront engineering services in connection with repairs to waterfront structures at Veterans Memorial Waterfront Park Promenade at a cost not to exceed $72,000.00.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Public Works recommending the award of a contract to Envar Services, Inc., 505 Milltown Road, New Brunswick, NJ, to provide marina and waterfront engineering services in connection with the Bike, Hike and Roll throughway along the existing Waterfront Walkway.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from the Director of Public Works recommending the award of a contract to Joseph Jingoli & Son, Inc., 100 Lenox Drive, Suite 100, Lawrenceville, NJ, to provide construction management services for the construction of the Elizabeth River Trail – Phase 1, at a cost not to exceed $116,610.00.
Which was received.

By the Clerk:
Letter dated June 21, 2011, from the Director of Public Works recommending the award of a contract to Birdsall Services Group, Inc., 65 Jackson Drive, Cranford, NJ, to provide professional engineering services in connection with the design and construction administration of the Morris Avenue Streetscape at a cost not to exceed $72,825.00.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated June 7, 2011, from the Police Director requesting permission to establish handicapped parking spaces at the following locations: 461 Franklin Street (personalized); 27 Lyons Place; 622 Grier Ave, 2nd Floor; 876 Bond Street; 459 Franklin Street; 621 First Avenue; disapproved: 630 Franklin Street; 700-702 Fay Avenue; 43 Orchard Street; deletions: Ord. No. 3996, 617 Meadow Street, Ord. No. 4038, 35 Niles Street, Ord. No. 4074, 922 Grove Street, 409 First Avenue, 113 Smith Street.
Which was received.

By the Clerk:
Letter dated June 8, 2011, from the Morris Midtown Business Association Elizabeth requesting permission to use City-owned vacant land located on Union Avenue, between Julian Place and Westfield Avenue, Block 11 Lots 1703, 1706, 1708, 1709, for the mechanical rides as part of the Colombian Cultural Festival, between July 29 through July 31; and permission to install three (3) banners on Morris and Westfield Avenues.
Which was received.

By the Clerk:
Letter dated June 20, 2011, from Mr. Victor Ramirez, 624 Pennsylvania Avenue, Elizabeth, NJ, requesting to be appointed as a Constable in the City of Elizabeth.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter June 28, 2011, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, June 24, 2011.
Which was received.

By the Clerk:
Letters dated June 15, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of March, 2011, and Statement of Bank Balances and Investments as of March 31, 2011.
Which was received.

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ORDINANCES ON FIRST READING

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4223** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, AMENDING ORDINANCE NO. 3560 OF THE CITY FINALLY ADOPTED NOVEMBER 12, 2003 PROVIDING FOR THE CONSTRUCTION OF THE BROAD STREET STREETSCAPE LOCATED IN THE CITY OF ELIZABETH AND APPROPRIATING $1,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,425,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4224** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, AMENDING ORDINANCE NO. 3661 OF THE CITY FINALLY ADOPTED OCTOBER 26, 2004, PROVIDING FOR THE CONSTRUCTION OF THE BROAD STREET STREETSCAPE LOCATED IN THE CITY OF ELIZABETH AND APPROPRIATING $2,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,900,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4225** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE DESIGN AND IMPLEMENTATION OF SOLAR PANEL SYSTEMS ON VARIOUS MUNICIPAL BUILDINGS LOCATED IN THE CITY OF ELIZABETH AND APPROPRIATING $1,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $950,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4226** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3996, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ROSA E. DELFINO, 617 MEADOW STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted]. Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4227** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4038, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR RUBEN LAMAISON, 35 NILES STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4228** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4074, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR PEDRO HERRERA, 922 GROVE STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted]. Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4229** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR FRANCISCA MILANES, 461 FRANKLIN STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

Council President Keenan announced that public notice will be published fixing Tuesday, July 26, 2011 , at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct public hearings and further consider the foregoing Ordinance Nos. 4223, 4224, 4225, 4226, 4227, 4228 and 4229, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4221**, which was seconded by Councilman Gonzalez.

AN ORDINANCE TO AMEND CHAPTER 2.20 OF THE CODE OF CITY OF ELIZABETH "PARKING ENFORCEMENT OFFICER", SPECIFICALLY SECTION 2.20.030 APPOINTMENT, TO INCREASE THE NUMBER OF PARKING ENFORCEMENT OFFICERS AT THE PARKING AUTHORITY FROM THREE (3) TO TEN (10).

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH

SECTION 1. - That **Chapter, 2.20, Parking Enforcement Officer, Section 2.20.30 Appointment** be amended as follows:

The City Council shall appoint parking enforcement officers by resolution and in accordance with all regulations of the state of New Jersey and department of personnel as follows:

Police Department	**14**
Fire department (as related duty to primary title)	**7**
Department of public works (as related duty to primary title)	**17**
Parking Authority	**10**
Library employees	**2**
Members of City Council	**9**

SECTION 2. - All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. - If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

SECTION 4. - The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **June 14, 2011.**

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **June 20, 2011.**

The ordinance was then adopted on its final passage by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4222**, which was seconded by Councilman Gonzalez.

AN ORDINANCE AUTHORIZING THE ADOPTION OF THE OAKWOOD PLAZA REDEVELOPMENT PLAN DATED FEBRUARY, 2011, AMENDED MAY 5, 2011 AS RECOMMENDED BY THE ELIZABETH PLANNING BOARD AND REVISED BY CITY COUNCIL ON JUNE 8, 2011.

WHEREAS, on May 5, 2011, the Elizabeth Planning Board adopted a resolution approving the Oakwood Plaza Redevelopment Plan dated February, 2011, amended May 5, 2011 and revised by City Council on June 8, 2011; and.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH:

SECTION 1. - That the City Council of the City of Elizabeth authorizes the Oakwood Plaza Redevelopment Plan, dated February, 2011, amended May 5, 2011 as recommended by the Elizabeth Planning Board and revised by City Council on June 8, 2011.

SECTION 2. - All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. - If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

SECTION 4. - The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **June 14, 2011.**

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **June 20, 2011.**

The ordinance was then adopted on its final passage by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - ~~7~~ 6

NEGATIVE: None

NEW BUSINESS

Councilwoman Perkins-Auguste **MOVED** for a Suspension of the Rules to consider resolutions which do not appear on the agenda, seconded by Councilman Gallman and

Which was carried unanimously.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised on June 28, 2011, four bids were received for the Front Street Synthetic Turf Park Project; and

WHEREAS, at the time bids were opened, the apparent low bidder appeared to be **ARCO CONSTRUCTION GROUP, 22-24 South Seventh Street, Elizabeth, New Jersey 07202,** in the amount of $2,091,832.50. Upon further evaluation of Arcos scheduled of prices, mathematical errors were found that resulted in a corrected amount bid of $2,155,014.00; and

WHEREAS, the lowest responsible bidder was **APPLIED LANDSCAPE TECHNOLOGIES, INC., 145 River Road, Montville, New Jersey 07045,** for the Front Street Synthetic Turf Park Project, at a cost of $2,140,306.00; and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **APPLIED LANDSCAPE TECHNOLOGIES, INC.**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09632, charging the amount of $2,140,306.00 to Account No. X-04-55-999-X25-001, of the Municipal Budget is on file in the Office of the City Clerk; and

RESOLVED that the City Council of the City of Elizabeth authorizes the award of the contract to the lowest responsible bidder **APPLIED LANDSCAPE TECHNOLOGIES, INC., 145 River Road, Montville, New Jersey 07045** for the Front Street Synthetic Turf Park Project, at a cost of $2,140,306.00.

Councilman Gallman stated that he is "glad" to see this request and would like to get the project "up and running."

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised on June 24, 2011, five (5) bids were received for the Elizabeth River Trail – Phase 1; and

WHEREAS, the lowest bidder, **Colenelli Brothers, Inc., 409 South River Street, Hackensack, New Jersey 07601,** failed to provide an unconditional Consent of Surety which is a material defect and did not provide a statement of compliance for a Licensed Master Plumber as required therefore their bid was not responsive and must be rejected. The bid substantially exceed the engineers cost estimate for the project; and

WHEREAS, the second lowest bidder, **Tec-Con Contractors, Inc., 9 Dodd Street, East Orange, New Jersey 07017,** substantially exceed the engineers cost estimate and funds allocated for the project; and

WHEREAS, the third lowest bidder, **Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036,** exceed the engineer cost estimate and funds allocated for the project; and

WHEREAS, the fourth lowest bidder, **A-Tech Concrete Co., 11 Taylor Road, Edison, New Jersey 08817,** failed to provide a statement of compliance for a Licensed Master Plumber as required. The bid substantially exceed the engineers cost estimate and funds allocated for the project; and

WHEREAS, the fifth lowest bidder, **Black Rock Enterprises, LLC, 208 West Greystone Road, Old Bridge, New Jersey 08857**, failed to provide an unconditional Consent of Surety which is a material defect. The bid substantially exceed the engineers cost estimate and funds allocated for the project; and

WHEREAS, the Director of the Department of Public Works has requested that the five (5) bids received on June 28, 2011 for the Elizabeth River Trail – Phase 1 be rejected and requests permission to re-advertise for the Elizabeth River Trail – Phase 1; now, therefore, be it

RESOLVED the City Council of the City Elizabeth rejects the five (5) bids received on June 28, 2011 for the Elizabeth River Trail – Phase 1 and authorizes the Director of Department of Public Works to re-advertise for the Elizabeth River Trail – Phase 1.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

The regular order of business was then resumed.

MIDTOWN ELIZABETH SPECIAL IMPROVEMENT DISTRICT BUDGET NOTICE

Midtown Elizabeth Special Improvement District of the City of Elizabeth, County of Union, for the calendar year 2011.

BE IT RESOLVED that the following statements of revenue and appropriations shall constitute the Midtown Elizabeth Special Improvement District Budget for the calendar year 2011.

BE IT FURTHER RESOLVED that said Budget be published in The Star-Ledger in the issue of June 17, 2011.

NOW THEREFORE, BE IT RESOLVED that the governing body of the City of Elizabeth does hereby approve the following as the Midtown Elizabeth Special Improvement District Budget for 2011.

[redacted]

Notice is hereby given that the Midtown Elizabeth Special Improvement District Budget was approved by the City Council of the City of Elizabeth, County of Union, on May 24, 2011

A hearing on said budget will be held at Elizabeth City Hall on June 28, 2011, at 7:30 P.M. at which time and place objections to said Budget for the year 2011 may be presented by Midtown Elizabeth Special Improvement District taxpayers or other interested persons.

REVENUES	
Surplus Anticipated	$0.00
UEZ Funds	$152,250.00
Miscellaneous	$3,000.00
Amount to be Raised by Special Improvement District	$200,000.00
Total Revenues	$355,250.00

APPROPRIATIONS	
Promotions & Marketing	$33,300.00
Safe and Clean	$121,800.00
Administration & Operations	$200,150.00
Total Appropriations	$355,250.00

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

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City of Elizabeth

CAPITAL BUDGET

2011 SFY

Amendment

Whereas, it is desired to amend the Fiscal Year 2011 Capital Budget,

Now, Therefore Be It Resolved, by the City Council of the City of Elizabeth, County of Union, that the following projects constitute a part of the capital budget section of the Fiscal Year 2011 Capital Budget .

[redacted]

[redacted]

6 YEAR CAPITAL PROGRAM FY2011 TO FY2016
PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2011

Local Unit CITY OF ELIZABETH

1	2	3	4	PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2011					6
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	AMOUNTS RESERVED IN PRIOR YEARS	5a FY2011 BUDGET APPROPRIATION	5b CAPITAL IMPROVEMENT FUND	5c Capital Surplus	5d Grants-in-Aid and Other Funds	5e Debt Authorized	TO BE FUNDED IN FUTURE YEARS
Solar Panels		1,000,000.00			50,000.00			950,000.00	
Amend Bond Ordinance #3560 - Broad Street Streetscape - Description only									
Amend Bond Ordinance #3661 - Broad Street Streetscape - Description only									
Totals - All Projects		1,000,000.00			50,000.00			950,000.00	

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6 YEAR CAPITAL PROGRAM FY2011 TO FY2016
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Local Unit CITY OF ELIZABETH

1	2	3	4	FUNDING AMOUNTS PER BUDGET YEAR					
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	5a FY2011	5b FY2012	5c FY2013	5d FY2014	5e FY2015	5f FY2016
Solar Panels		1,000,000.00		1,000,000.00					
Amend Bond Ordinance #3560 - Broad Street Streetscape - Description only									
Amend Bond Ordinance #3661 - Broad Street Streetscape - Description only									
Totals - All Projects		1,000,000.00		1,000,000.00					

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6 YEAR CAPITAL PROGRAM FY2011 TO FY2016
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit CITY OF ELIZABETH

1	2	BUDGET APPROPRIATION		4	5	6	BONDS AND NOTES			
		3a	3b							
PROJECT TITLE	ESTIMATED TOTAL COST	Current Year FY2010	Future Years	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS-IN-AID AND OTHER FUNDS	7a General	7b Self Liquidating	7c Assessment	7d School
Solar Panels	1,000,000.00	1,000,000.00		50,000.00			950,000.00			
Amend Bond Ordinance #3560 - Broad Street Streetscape - Description only										
Amend Bond Ordinance #3661 - Broad Street Streetscape - Description only										
Totals - All Projects	1,000,000.00	1,000,000.00		50,000.00			950,000.00			

Be it Further Resolved, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution constituting a part of the capital budget section of the Temporary 2011 Fiscal Year Capital Budget

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

23

[redacted]

By City Council as a Whole:

Resolved, that the following transfers be made in the FY2011 Municipal Budget appropriations:

Account	Type	Description	Amount
		Transfers To:	
20-100-ADM-100	Salaries & Wages	Business Administration	4,500.00
20-170-DPC-100	Salaries & Wages	Director Planning	9,000.00
25-250-PCV-100	Salaries & Wages	Police Civilians	200.00
26-290-DWP-100	Salaries & Wages	Director Public Works	5,000.00
27-330-HEA-100	Salaries & Wages	Health Department	11,000.00
20-145-REV-325	Operating Expenses	Revenue Department	10,000.00
23-225	Operating Expenses	Unemployment Insurance	60,000.00
		TOTAL	**99,700.00**
		Transfers From:	
25-260-FIR-100	Salaries & Wages	Fire Department	99,700.00
		TOTAL	**99,700.00**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted] Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

[redacted]

A RESOLUTION REQUESTING PERMISSION FOR A DEDICATION BY RIDER FOR DONATIONS-ACCEPTANCE OF BEQUESTS AND GIFTS (FROM WASTE MANAGEMENT TO SUPPORT THE CITY MEN'S EMPLOYMENT WORKSHOP) AS REQUIRED BY NJS 40A:5-29

BY CITY COUNCIL AS A WHOLE:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance;

WHEREAS, NJS 40A:5-29 provides for receipts of donations (from Waste Management to support the City Men's Employment Workshop) by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Donations Fund (from Waste Management to support the City Men's Employment Workshop) are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by state or other legal requirement:

NOW THEREFORE, BE IT RESOLVED, by City Council of the City of Elizabeth, County of Union, New Jersey as follows:

1. The City Council does hereby request permission of the Director of the Division of Local Governmental Services to pay expenditures of the Donations Fund (from the Waste Management to support the City's Men's Employment Workshop) per NJS 40A:5-29.

2. The Clerk of the City of Elizabeth, County of Union, New Jersey, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Governmental Services.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the 2011 SFY Budget has a Budget Overexpenditure-Trust Fund CDBG account balance of $71,035.04 at June 1, 2011, deemed not to be expendable for deficit purposes by audit evaluation; and

WHEREAS, Generally Accepted Accounting Principles requires that any account balance deemed not to be expendable for deficit purposes be canceled; and

NOW, THEREFORE, BE IT RESOLVED, that the 2011 SFY Budget Overexpenditure-Trust Fund CDBG account balance of $71,035.04 at June 1, 2011, deemed not to be expendable for deficit purposes by audit evaluation be canceled in accordance with Generally Accepted Accounting Principles.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED the City Council of the City of Elizabeth does hereby advise and consent to the reappointment of **Teresa Iturralde Estrada** to the position of Municipal Court Director of the Elizabeth Court, effective June 1, 2011, for a term of three (3) years in accordance with the provisions of Chapter 2.68.090 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted] Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract **FANWOOD CRUSHED STONE CO., Division of Weldon Materials, Inc., 141 Central Avenue, Westfield, New Jersey 07090**, to purchase Road Materials at a cost not to exceed $65,000.00 under the Under County Cooperative Purchasing Contract #UCCP34-2010 for the period of June 9, 2011 through July 5, 2012; and

WHEREAS, the contract in question is determined to fall within the open-end contract Rule 5:30-14.4 as promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Chief Financial Officer shall execute the Certificate of Availability of funds at each time an order is placed, and covering the amount of the order, and said execution is to be made just before the City incurs contractual liability on its part; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **FANWOOD CRUSHED STONE CO., Division of Weldon Materials, Inc., 141 Central Avenue, Westfield, New Jersey 07090**, to purchase Road Materials at a cost not to exceed $65,000.00 under the Under County Cooperative Purchasing Contract #UCCP34-2010 for the period of June 9, 2011 through July 5, 2012.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested a contract be awarded to the sole bidder **RIBCRAFT USA, LLC, 88-100 Hoods Lane, Marblehead, MA 01945** for a Rescue Water Craft for the Department of Fire in the amount of $77,694.82; and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **RIBCRAFT USA, LLC.;** and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09243, charging the amount of $77,694.82 to Account No. G-02-41-765-10 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of authorizes the award of a contract to the sole bidder **RIBCRAFT USA, LLC, 88-100 Hoods Lane, Marblehead, MA 01945** for a Rescue Water Craft for the Department of Fire in the amount of $77,694.82.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent has advised that in accordance with **NJAC** 5:34 it is required that the award of any contract pursuant to **N.J.S.A.** 40A:11-5 (hh) (purchase of electricity) – (exception to bidding) and exempt from Pay to Play regulations because the vendor's rates are regulated through tariffs approved by the Board of Public Utilities; and

WHEREAS, the Business Administrator has made a request to participate in the NJ Sustainable Energy Joint Meeting award for the purchase of electricity. The NJSEM has separated electricity into two categories 1) Street Lighting and 2) Fixed Price Accounts. A separate auction has been done for each category; and

WHEREAS, the Business Administrator and Purchasing Agent have requested authorization to award contracts to **CONSTELLATION NEW ENERGY, 810 Seventh Avenue, Suite 400, New York, New York 10019**, for Street Lighting Accounts at a rate of 10.4% below basic generation service; and to **RELIANT ENERGY NORTHEAST, LLC, 1000 Main Street, Houston, TX 77002-6336,** for Fixed Price Accounts at a rate of 18% below basic generation service; and

WHEREAS, local units of the State of New Jersey are authorized to enter into a joint contract to provide for the information of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by **N.J.S.A**. 40A:65-14 et. seq; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award contracts to **CONSTELLATION NEW ENERGY, 810 Seventh Avenue, Suite 400, New York, New York 10019**, for Street Lighting Accounts at a rate of 10.4% below basic generation service; and to **RELIANT ENERGY NORTHEAST, LLC, 1000 Main Street, Houston, TX 77002-6336,** for Fixed Price Accounts at a rate of 18% below basic generation service.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

30

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **GAMETIME, c/o MRC, P. O. Box 106, Spring Lake, New Jersey 07762,** for the purchase of Replacement Parts for Various Parks at a total cost of $19,957.20 under State Contract #A59052; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09198, charging the amount of $19,957.20 to Account No. 1-01-28-370-REC-308, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #A59052, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C**.5:34-1.2; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **GAMETIME, c/o MRC, P. O. Box 106, Spring Lake, New Jersey 07762,** for the purchase of Replacement Parts for Various Parks at a total cost of $19,957.20 under State Contract #A59052.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **WOLFINGTON BODY CO., INC., 1315 Route 1315 Route 38, Hainesport, New Jersey 08060,** for One (1) Senior Citizen Bus for the Health Department, at a cost of $68,990.00 under the Somerset County Co-Op Contract; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09196, charging the amount of $68,990.00 to Account No. X-04-55-995-000, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **WOLFINGTON BODY CO., INC., 1315 Route 38, Hainesport, New Jersey 08060,** for One (1) Senior Citizen Bus for the Health Department, at a cost of $68,990.00 under the Somerset County Co-Op Contract.

Councilman Gallman stated that he is "glad" to see this item. He continued that this is the City's bus for our well-deserving senior citizens.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

32

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **APPLE COMPUTER, INC., 12545 Riata Vista Circle, Austin, TX 78727,** for the purchase of One IMAC Computer for the City's Social Media Program of the Public Information Department at a cost of $2,667.00 under State Contract #70259; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09165, charging the amount of $2,667.00 to Account No. 1-01-20-170-PIN-319, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #70259, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **APPLE COMPUTER, INC., 12545 Riata Vista Circle, Austin, TX 78727,** for the purchase of One IMAC Computer for the City's Social Media Program of the Public Information Department at a cost of $2,667.00 under State Contract #70259.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended an award of contract be made to the lowest bidders for Traffic Signal Replacement Parts to **SIGNAL CONTROL PRODUCTS, INC., 199 Evans Way, Branchburg, New Jersey 08876,** in the amount of $24,860.00; **TRAFFIC PARTS, INC., 27895 Robinson Road, Conroe, TX 77385,** in the amount of $11,902.80; **GENERAL TRAFFIC EQUIPMENT CORP., 259 Broadway, Newburgh, New York12550,** in the amount of $8,418.00; and to **FLEMINGTON ALUMINUM & BRASS, INC., 24 Junction Road, Flemington, New Jersey 08822,** in the amount of $160.20 for a combined total award of $45,341.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Account No. 1-01-25-240-POL-365 and Certification No. 11-09284 , charging the amount of $24,860.00 for **SIGNAL CONTROL PRODUCTS**; Certification No.11-09285, charging the amount of $11,902.80 for **TRAFFIC PARTS, INC.;** Certification No. 11-09826, in the amount of $8,418.00 for **GENERAL TRAFFIC EQUIPMENT CORP.**; Certificate No. 11-09287 in the amount of $160.20 for **FLEMINGTON ALUMINUM & BRASS, INC.** are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contracts to the lowest bidders for Traffic Signal Replacement Parts to **SIGNAL CONTROL PRODUCTS, INC., 199 Evans Way, Branchburg, New Jersey 08876,** in the amount of $24,860.00; **TRAFFIC PARTS, INC., 27895 Robinson Road, Conroe, TX 77385,** in the amount of $11,902.80; **GENERAL TRAFFIC EQUIPMENT CORP., 259 Broadway, Newburgh, New York 12550,** in the amount of $8,418.00; and to **FLEMINGTON ALUMINUM & BRASS, INC., 24 Junction Road, Flemington, New Jersey 08822,** in the amount of $160.20 for a combined total award of $45,341.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **VISUAL COMPUTER SOLUTIONS, INC., 4400 US Highway 9 South, Suite 3500, Freehold, New Jersey 07728**, for the purchase of Police Officer Scheduling System Software for the Police Department at a total cost of $70,700.00 under State Contract #A77003; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09483, charging the amount of $70,700.00 to Account No. 1-21-56-130, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #A77003, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **VISUAL COMPUTER SOLUTIONS, INC., 4400 US Highway 9 South, Suite 3500, Freehold, New Jersey 07728**, for the purchase of Police Officer Scheduling System Software for the Police Department at a total cost of $70,700.00 under State Contract #A77003.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested permission to enter into an agreement with the Elizabeth Youth Theater Ensemble to conduct the 2011 Summer Film and Performing Arts Workshop for the Building Future Leaders Program; and

WHEREAS, the anticipated cost for the 2011 Summer Film and Performing Arts Workshop for Building Future Leaders Program is not to exceed $17,000.00. The costs include four (4) weeks of workshop and the creation of a short film; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute any and all documents pertaining to the Elizabeth Youth Theater Ensemble Summer to conduct the 2011 Summer Film and Performing Arts Workshop for the Building Future Leaders Program. This Workshop is for four (4) weeks for the creation of a short film. The anticipated cost for this project is at a cost not to exceed $17,000.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on June 16, 2011 the Director of the Department of Public Works received seven (7) bids for the 2011 Road Resurfacing Program Phase 1; and

WHEREAS, lowest bidder, **Tilcon New York, Inc., 625 Mt. Hope Road, Wharton, New Jersey 07885**, failed to provide an unconditional Consent of Surety which is a material defect, therefore, their bid was not responsive and must be rejected; and

WHEREAS, the second lowest responsive bidder was **ENGLISH PAVING COMPANY, INC., 650 Route 46 West, Clifton, New Jersey 07013**, in the amount of $524,703.92; and

WHEREAS, the Director of the Department of Public Works has requested the award of a contract be made to **ENGLISH PAVING COMPANY, INC., 650 Route 46 West, Clifton, New Jersey 07013**, for the 2011 Road Resurfacing Program Phase 1 in the amount of $524,703.92; and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **ENGLISH PAVING COMPANY, INC.;** and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09562, charging the amount of $385,457.56 to Account No. X-04-55-999-X23-001 and Certification No. 11-98563, charging the amount of $138,246.36 to Account No. X-04-55-999-X08-008 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of authorizes the award of a contract to the second lowest responsive bidder **ENGLISH PAVING COMPANY, INC., 650 Route 46 West, Clifton, New Jersey 07013** for the 2011 Road Resurfacing Program Phase 1 in the amount of $524,703.92.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on June 16, 2011 the Director of the Department of Public Works received nine (9) bids for the 2011 Road Resurfacing Program Phase 2; and

WHEREAS, lowest responsible bidder was **BLACK ROCK ENTERPRISES, LLC, 208 West Greystone Road, Old Bridge, New Jersey 08857,** in the amount of $996,508.99; and

WHEREAS, the Director of the Department of Public Works has requested the award of a contract be made to the lowest responsible bidder, **BLACK ROCK ENTERPRISES, LLC, 208 West Greystone Road, Old Bridge, New Jersey 08857,** for 2011 Road Resurfacing Program – Phase 2, in the amount of $996,508.99 (a list of streets to be resurfaced are attached); and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **BLACK ROCK ENTERPRISES, LLC;** and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09564, charging the amount of $521,596.62 to Account No. X-04-55-999-X23-001, and Certification No. 09565, charging the amount of $474,912.37 to Account No. X-04-55-999-X33-001 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of authorizes the award of a contract to the lowest responsible bidder, **BLACK ROCK ENTERPRISES, LLC, 208 West Greystone Road, Old Bridge, New Jersey 08857,** for 2011 Road Resurfacing Program – Phase 2, in the amount of $996,508.99 (a list of streets to be resurfaced are attached).

STREET	FROM	TO
Emerson Avenue	Monmouth Road	North Avenue
Floral Avenue	Monmouth Road	North Avenue
Livingston Road	Elmora Avenue	Summit Road
Muriel Parkway	Stiles Street	Elmora Avenue
Monroe Avenue	Jackson Avenue	North Avenue
Scotland Road	Westminster Avenue	Salem Avenue
Westminster Avenue	3 locations	

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on June 17, 2011 the Department of Public Works received six bids for the 2011 Road Resurfacing Program – Phase 3; and

WHEREAS, the Director of the Department of Public Works has requested a contract be awarded to the lowest responsible bidder **DEFINO CONTRACTING COMPANY, 28 Industrial Drive, Cliffwood Beach, New Jersey 07735,** for the 2011 Road Resurfacing Program – Phase 3 in the amount of $1,039,000.00 (a list of streets to be resurfaced are attached); and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **DEFINO CONTRACTING COMPANY;** and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07560, charging the amount of $1,039.000.00 to Account No. X-04-55-999-X33-001 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that thity Council of the City of authorizes the award of a contract to the lowest responsible bidder **DEFINO CONTRACTING COMPANY, 28 Industrial Drive, Cliffwood Beach, New Jersey 07735,** for the 2011 Road Resurfacing Program – Phase 3 in the amount of $1,039,000.00 (a list of streets to be resurfaced are attached).

STREET	FROM	TO
Devine Avenue	Rt. 1 & 9	Johnson Avenue
Grove Street	New York Avenue	Rt. 1 & 9
Rankin Street	First Avenue	Third Avenue
Rosehill Place	Lidgerwood Avenue	South Street
South Fifth Street	Elizabeth River	Elizabeth Avenue
Summer Street	Elizabeth River	Rt. 1 & 9

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on June 17, 2011 Department of Public Works received seven (7) bids for the 2011 Road Resurfacing Program Phase 4; and

WHEREAS, the Director of the Department of Public Works has requested that a contract be awarded to the lowest responsible bidder **J. A. ALEXANDER, INC., 130 John F. Kennedy Drive North, Bloomfield, New Jersey 07003,** for the 2011 Road Resurfacing Program – Phase 4 at a cost of $1,197,076.09. (a list of streets to be resurfaced are attached); and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **J. A. ALEXANDER, INC.**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09561, charging the amount of $1,197 076.09 to Account No. X-04-55-999-X33-001 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of authorizes the award of a contract to the lowest responsible bidder **J. A. ALEXANDER, INC., 130 John F. Kennedy Drive North, Bloomfield, New Jersey 07003,** for the 2011 Road Resurfacing Program – Phase 4 at a cost of $1,197,076.09 (a list of streets to be resurfaced are attached).

STREET	FROM	TO
Bond Street	Front Street	First Street
Cross Avenue	North Avenue	City Line
Court Street	Front Street	First Street
Delaware Street	First Avenue	Third Avenue
Erie Street	First Avenue	Third Avenue
Magnolia Avenue	Second Street	Third Street
Sherman Avenue	Newark Avenue	City Line
Sheridan Avenue	Newark Avenue	Carrinton St.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted]6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised on March 11, 2011 the Department of Public Works received qualification proposals for marina and waterfront engineering services . The request for qualifications was solicited through a fair and open process in accordance with **N.J.S.A**. 19:44A-20.5 et. Seq., and **N.J.S.A**. 40A:11-5 (a) (i); and

WHEREAS, the Department of Public Works having reviewed the qualifications of all respondents, the firm of **ENVAR SERVICES, INC., 505 Milltown Road, New Brunswick, New Jersey 08902,** was found to be qualified to provide the City of Elizabeth with marina and waterfront engineering services in connection with the modifications to the exiting walkway for compliance with NJDOT Bikeway Planning and Design Guidelines and as per their proposal dated May 26, 2011. The scope of work includes Waterfront Development Permit application, design and construction management services necessary for improving approximately 0.3 miles of Public Bikeway from the end of the existing bikeway near Pine Street to the northeast end of Boardwalk Pier. This work will includes but is not limited to removal of existing timber planking to be replaced with concrete, retrofit of existing lighting, planting of trees and railing modifications; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to **ENVAR SERVICES, INC., 505 Milltown Road, New Brunswick, New Jersey 08902,** to provide marina and waterfront engineering services in connection with repairs to the Bike, Hike and Roll Throughway along the existing Waterfront Walkway, at a cost not to exceed $56,000; 00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09626, charging the amount of $56,000.00 to Account No. X-04-55-999-X26-001 is on file in the Office of the City Clerk; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92 of the code of the City of Elizabeth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contracts itself must be available for public inspection; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth, New Jersey as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with to **ENVAR SERVICES, INC., 505 Milltown Road, New Brunswick, New Jersey 08902,** to provide marina and waterfront engineering services in connection with repairs to the Bike, Hike and Roll Throughway along the existing Waterfront Walkway, at a cost not to exceed $56,000.00. The scope of work includes Waterfront Development Permit application, design and construction management services necessary for improving approximately 0.3 miles of Public Bikeway from the end of the existing bikeway near Pine Street to the northeast end of Boardwalk Pier. This work will includes but is not limited to removal of existing timber planking to be replaced with concrete, retrofit of existing lighting, planting of trees and railing modifications.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with **N.J.S.A.** 40A:11- 2(b) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

3. A notice of this action shall be published in **The Star Ledger**.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted] Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised on March 11, 2011 the Department of Public Works received qualification proposals for marina and waterfront engineering services. The request for qualifications was solicited through a fair and open process in accordance with **N.J.S.A**. 19:44A-20.5 et. Seq., and **N.J.S.A**. 40A:11-5 (a) (i); and

WHEREAS, the Department of Public Works having reviewed the qualifications of all respondents, the firm of **ENVAR SERVICES, INC., 505 Milltown Road, New Brunswick, New Jersey 08902,** was found to be qualified to provide the City of Elizabeth with marina and waterfront engineering services in connection with the repairs to Waterfront Structures at the Veterans Memorial Waterfront Park Promenade as per their proposal dated May 27, 2011. The scope of work includes design and construction management services in connection with the timber steps replacement, channel cap repairs and bulkhead repairs at the area between the Marina and the Elizabeth River; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to **ENVAR SERVICES, INC., 505 Milltown Road, New Brunswick, New Jersey 08902,** to provide the City of Elizabeth with marina and waterfront engineering services in connection with the repairs to Waterfront Structures at the Veterans Memorial Waterfront Park Promenade as per their proposal dated May 27, 2011. The scope of work includes design and construction management services in connection with the timber steps replacement, channel cap repairs and bulkhead repairs at the area between the Marina and the Elizabeth River at a cost not to exceed $72,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09625, charging the amount of $72,000.00 to Account No. X-04-55-999-X26-001 is on file in the Office of the City Clerk; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92 of the code of the City of Elizabeth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contracts itself must be available for public inspection; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth, New Jersey as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with to **ENVAR SERVICES, INC., 505 Milltown Road, New Brunswick, New Jersey 08902,** to provide the City of Elizabeth with marina and waterfront engineering services in connection with the repairs to Waterfront Structures at the Veterans Memorial Waterfront Park Promenade as per their proposal dated May 27, 2011. The scope of work includes design and construction management services in connection with the timber steps replacement, channel cap repairs and bulkhead repairs at the area between the Marina and the Elizabeth River, at a cost not to exceed $72,000.00

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with **N.J.S.A.** 40A:11- 2(b) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

3. A notice of this action shall be published in **The Star Ledger**.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted] Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised on March 11, 2011 the Department of Public Works received qualification proposals for construction management services. The request for qualifications was solicited through a fair and open process in accordance with **N.J.S.A**. 19:44A-20.5 et. Seq., and **N.J.S.A**. 40A:11-5 (a) (i); and

WHEREAS, having reviewed the qualifications of all respondents, the firm of **JOSEPH JINGOLI & SON, INC., 100 Lawrenceville, New Jersey 08648,** was found to be qualified to provide the City of Elizabeth with construction management services in connection with the construction of the Elizabeth River Trail – Phase 1 as per their proposal dated May 11, 2011. The scope of the work includes construction management services during the construction and project closeout phase of the project. The project consists of a hardscape and landscape project along the southern edge of the Elizabeth River between South Broad Street and Bridge Street; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to **JOSEPH JINGOLI & SON, INC., 100 Lenox Drive, Suite 200, Lawrenceville, New Jersey 08648,** to provide construction management services at a cost not to exceed $116,610.00 for the construction of the Elizabeth River Trail – Phase 1; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09627, charging the amount of $116,610.00 to Account No. X-04-55-999-X36-001 is on file in the Office of the City Clerk; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92 of the code of the City of Elizabeth; and

WHEREAS, the Local Public Contracts Law (**N.J.S.A**. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contracts itself must be available for public inspection; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth, New Jersey as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with to **JOSEPH JINGOLI & SON, INC., 100 Lenox Drive, Suite 200, Lawrenceville, New Jersey 08648,** to provide construction management services at a cost not to exceed $116,610.00 for the construction of the Elizabeth River Trail – Phase 1.

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with **N.J.S.A.** 40A:11-2(b) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

4. A notice of this action shall be published in **The Star Ledger**.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted]6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on March 11, 2011 the Director of the Department of Public Works received qualification proposals for consulting professional engineering services in connection with the Morris Avenue Streetscape; and

WHEREAS, after review of the qualifications of all respondents, it was found that the firm of the **BIRDSALL SERVICE GROUP, INC.,** to be qualified to provide the City of Elizabeth with professional engineering services in connection with the Morris Avenue Streetscape as per their proposal dated June 21, 2011. This project consists of streetscape improvements and sidewalk widening along the North side of Morris Avenue from Phil Rizzuto Park to Irvington Avenue; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the **BIRDSALL SERVICE GROUP, INC., 65 Jackson Drive, Cranford, New Jersey 07016,** to provide professional engineering services in connection with the Morris Avenue Streetscape as per their proposal dated June 21, 2011. This project consists of streetscape improvements and sidewalk widening along the North side of Morris Avenue from Phil Rizzuto Park to Irvington Avenue at a cost not to exceed $72,825.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-09628, charging the amount of $72,825.00 to Account No. X-04-55-999-X33-001, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92 of the code of the City of Elizabeth; and

WHEREAS, the request for qualifications was solicited through a fair and open process in accordance with **N.J.S.A**. 19:44A-20.5, et. seq., and **N.J.S.A**. 40A:22-5(a) (i); and

WHEREAS, the Local Public Contracts Law (**N.J.S.A**. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services"without competitive bids and the contract itself must be available for public inspections; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth as follows:

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with **BIRDSALL SERVICE GROUP, INC., 65 Jackson Drive, Cranford, New Jersey 07016,** to provide professional engineering services in connection with the Morris Avenue Streetscape. This project consists of streetscape improvements and sidewalk widening along the North side of Morris Avenue from Phil Rizzuto Park to Irvington Avenue at a cost not to exceed $72,825.00.

2. This contract is awarded without competitive bidding as a "Professional Service"in accordance with **N.J.S.A**. 40A:11-2(6) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

3. A notice of this action shall be printed once in **The Star Ledger**.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested that the Mayor and the Municipal Clerk be authorized to accept and execute all appropriate documents related to Federal Project Agreement No. 2011-DT-BLA-207, Project Number HPP-C00S (184), for the Elizabeth River Trail; and

WHEREAS, a Memorandum of Agreement was authorized on April 27, 2010 authorizing the City of Elizabeth access funds for the trail awarded to Groundwork Elizabeth. The City of Elizabeth will bid the project, and award the contract for the construction of trail due to the size of the Groundwork Elizabeth staff of one; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the Mayor and the Municipal Clerk to sign all appropriate documents related to Federal Project Agreement No. 2011-DT-BLA-207, Project Number HPP-COOS (184), for the Elizabeth River Trail.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for approval of the Fiscal Year 2012 Urban Enterprise Zone (UEZ) Administrative Budget in the anticipated UEZ Assistance funds amount not to exceed $440,000.31; and

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City Officials to enter into an agreement with the **Elizabeth Development Company** for the administration of the UEZ Program, as well as UEZ Second Generation funds for Fiscal Year 2012; and

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to approve the Fiscal Year 2012 Urban Enterprise Zone (UEZ) Administrative Budget in anticipated UEZ Assistance funds amount not to exceed $440,000.31 and authorizes the proper City Officials to enter into an agreement with the **Elizabeth Development Company** for the administration of the UEZ Program, as well as UEZ Second Generation funds for Fiscal Year 2012; and be it

FURTHER RESOLVED that the Mayor is authorized to execute all necessary documents and agreements with the Elizabeth Development Company (EDC), or any other party necessary to carry out this resolution.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, as a result of the City of Elizabeth's designation as an Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the rate of 3.5%; and

WHEREAS, the monies collected at this reduced sales tax are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Elizabeth for programs and projects designed to promote economic development; and

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal for $227,793.00 in Zone Assistance Funds to provide funds for the Elizabeth's Graffiti & Litter Removal Program – Phase 5; and

WHEREAS, these funds will be used to help eradicate graffiti and litter throughout the City of Elizabeth's UEZ Enterprise Zone. Specifically, the graffiti will be removed from properties located within Elizabeth's zone boundaries while the litter removal program will concentrate primarily on the City's major UEZ commercial corridors. The City will provide a 20% match of $56,948.00 ($46,948.00 for personnel and $10,000.00 for graffiti removal supply costs) for a total project cost of $284,741.00 for the contract period from July 1, 2011 through June 30, 2012; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority for $227,793.00 in Zone

Assistance Funds to provide for funds for the Elizabeth Graffiti & Litter Removal Program – Phase 5. These funds will be used to help eradicate graffiti and litter throughout the City of Elizabeth's UEZ Enterprise Zone. Specifically, the graffiti will be removed from properties located within Elizabeth's zone boundaries while the litter removal program will concentrate primarily on the City's major UEZ commercial corridors. The City will provide a 20% match of $56,948.00 ($46,948.00 for personnel and $10,000.00 for graffiti removal supply costs) for a total project cost of $284,741.00 for the contract period from July 1, 2011 through June 30, 2012; and be it

FURTHER RESOLVED that the Mayor is authorized to execute all necessary documents and agreements with the Elizabeth Development Company (EDC), or any other party necessary to carry out this resolution.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, as a result of the City of Elizabeth's designation as an Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the rate of 3.5%; and

WHEREAS, the monies collected at this reduced sales tax are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Elizabeth for programs and projects designed to promote economic development; and

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal for $566,765.00 in Zone Assistance Funds to provide for continued funds for the Commercial District Security Program Year 16, as well as provide funding for the monthly subscription of Sprint/Nextel GPS Tracking Phones. The City will provide a 20% match of $141,291.00 for a total project cost of $708,056.00; and

WHEREAS, the extra duty police officers conduct walking patrols throughout the following business districts: Elizabeth Avenue, Broad Street, Morris Avenue, First Street, Third Street, Bayway Avenue, Elmora Avenue, North Broad Street, and the Historic Central Railroad Station; and

WHEREAS, an extra duty Police Sergeant to be utilized during peak shift hours to manage and oversee the various UEZ walking patrols; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority for $566,765.00 in Zone Assistance Funds to provide for continued funding for the Commercial District Security Program Year 16, as well as provide funding for the monthly subscription of Sprint/Nextel GPS Tracking Phones. The City will provide a 20% match of $141,291.00 for a total project cost of $708,056.00. The extra duty police officers conduct walking patrols throughout the following business districts: Elizabeth Avenue, Broad Street, Morris Avenue, First Street, Third Street, Bayway Avenue, Elmora Avenue, North Broad Street, and the Historic Central Railroad Station. An extra duty Police Sergeant will be utilized during peak shift hours to manage and oversee the various UEZ walking patrols; and be it

FURTHER RESOLVED that the Mayor is authorized to execute all necessary documents and agreements with the Elizabeth Development Company (EDC), or any other party necessary to carry out this resolution.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, as a result of the City of Elizabeth's designation as an Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the rate of 3.5%; and

WHEREAS, the monies collected at this reduced sales tax are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Elizabeth for programs and projects designed to promote economic development; and

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal for Zone Assistance Funds in the amount of $575,782.00 to fund six (6) Police Officers' salaries and benefits for the period from July 1, 2011 through June 30, 2012; and

WHEREAS, the City of Elizabeth will provide a 20% match of funding in the amount of $143,945.00 for a total project cost of $719,727.00. These police officers are assigned to duties exclusively within Elizabeth's Urban Enterprise Zone and provide an enhanced level of service; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority for Zone Assistance Funds in the amount of $575,782.00 to fund six (6) Police Officers' salaries and benefits for the period from July 1, 2011 through June 30, 2012. The City of Elizabeth will provide a 20% match of funding in the amount of $143,945.00 for a total project cost of $719,727.00. These police officers are assigned to duties exclusively within Elizabeth's Urban Enterprise Zone and provide an enhanced level of service; and be it

FURTHER RESOLVED that the Mayor is authorized to execute all necessary documents and agreements with the Elizabeth Development Company (EDC), or any other party necessary to carry out this resolution.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, as a result of the City of Elizabeth's designation as an Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the rate of 3.5%; and

WHEREAS, the monies collected at this reduced sales tax are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Elizabeth for programs and projects designed to promote economic development; and

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal for $167,062.50 in Zone Assistance Funds to provide funds for the Elizabeth Avenue Partnership Special Improvement District for the period July 1, 2011 through June 30, 2012; and

WHEREAS, these funds will be used to cover various costs within the 2011-2012 fiscal budget year to include administration costs, operating expenses, security expenses, communication/public relations expenses as well as appearance and beautification expenses; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority for $167,062.50 in Zone Assistance Funds to provide funds for the Elizabeth Avenue Partnership Special Improvement District for the period July 1, 2011 through June 30, 2012. These funds will be used to cover various costs within the 2011-2012 fiscal budget year to include administration costs, operating expenses, security expenses, communication/public relations expenses as well as appearance and beautification expenses; and be it

FURTHER RESOLVED that the Mayor is authorized to execute all necessary documents and agreements with the Elizabeth Development Company (EDC), or any other party necessary to carry out this resolution.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, as a result of the City of Elizabeth's designation as an Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the rate of 3.5%; and

WHEREAS, the monies collected at this reduced sales tax are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Elizabeth for programs and projects designed to promote economic development; and

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ Second Generation funds proposal in the amount of $1,381,645.00 for the UEZ Financial Lending Programs – Phase V; and

WHEREAS, these funds will be utilized to fund the continuation and administration of the UEZ Loan Programs. This proposal will fund ($1,162,000.00 in loan dollars, $209,645.00 in administrative costs) our Statewide Loan Pool Program, UEZ Commercial Loan Program, as well as UEZ Micro/Loan Program for the period July 1, 2011 through June 30, 2012; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority in the amount of $1,381,645.00 for the UEZ Financial Lending Programs – Phase V. These funds will be utilized to fund the continuation and administration of the UEZ Loan Programs. This proposal will fund ($1,162,000.00 in loan dollars, $209,645.00 in administrative costs) our Statewide Loan Pool Program, UEZ Commercial Loan Program, as well as UEZ Micro/Loan Program for the period July 1, 2011 through June 30, 2012; and be it

FURTHER RESOLVED that the Mayor is authorized to execute all necessary documents and agreements with the Elizabeth Development Company (EDC), or any other party necessary to carry out this resolution

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted] Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, as a result of the City of Elizabeth's designation as an Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the rate of 3.5%; and

WHEREAS, the monies collected at this reduced sales tax are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Elizabeth for programs and projects designed to promote economic development; and

WHEREAS, the Director of Department of Planning and Community Development has requested authorization to amend an extension for the UEZ Façade Improvement Programs – Phase VI (#08-148) authorizing an increase to the current grant program limits until December 31, 2011 (See attached program limit increases); and

WHEREAS, this UEZ contract amendment would enable the Elizabeth Development Company to increase the grant program limits to meet the needs of today's market, compensate for additional requirements (such as prevailing wage regulations) and cover raising construction costs. The contract extension would allow for proper completion of the UEZ Façade Improvement Program – Phase VI (#08-148) until December 31, 2011; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the UEZ amendment to the UEZ Façade Improvement Program – Phase VI (#08-148). This UEZ contract amendment will enable the Elizabeth Development Company to increase the grant program limits to meet the needs of today's market, compensate for additional requirements (such as prevailing wage regulations) and cover raising construction costs. The contract extension will be until December 31, 2011 (See the attached program limit increases.)

FURTHER RESOLVED that the Mayor is authorized to execute all necessary documents and agreements with the Elizabeth Development Company (EDC), or any other party necessary to carry out this resolution

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for an Urban Enterprise Zone contract amendment extension for the Elizabeth Commercial District Graffiti Removal Project – (#08-147) until December 31, 2011; and

WHEREAS, this UEZ contract amendment extension will allow for the proper completion of the Elizabeth Commercial District Graffiti Removal Project – (#08-147); now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an Urban Enterprise Zone contract amendment extension to allow for the proper completion of the Elizabeth Commercial District Graffiti Removal Project – (#08-147) until December 31, 2011.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for an Urban Enterprise Zone contract amendment extension for the Elizabeth Close Circuit TV Public Security Project – (#10-0735) until June 30, 2012; and

WHEREAS, this UEZ contract amendment extension will allow for the proper installation of one-hundred fifty (150) close circuit cameras within the City of Elizabeth's UEZ; and

RESOLVED that the City Council of the City of Elizabeth authorizes an Urban Enterprise Zone contract amendment extension to allow for the proper installation of one-hundred fifty (150) close circuit cameras within the City of Elizabeth's UEZ for the Elizabeth Close Circuit TV Public Security Project – (#10-0735) until June 30, 2012.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for an Urban Enterprise Zone contract amendment extension for the UEZ Façade Improvement Program (#09-169) until December 31, 2011; and

WHEREAS, this UEZ contract amendment extension will allow for the proper completion of the UEZ Façade Improvement Program (#09-169) until December 31, 2011; and

RESOLVED that the City Council of the City of Elizabeth authorizes an Urban Enterprise Zone contract amendment extension to allow for the proper completion of the UEZ Façade Improvement Program (#09-169) until December 31, 2011.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for an Urban Enterprise Zone contract amendment extension for the Way-Finding Program Project Design Services – (#09-101); until December 31, 2011; and

WHEREAS, this UEZ contract amendment extension will allow for the proper completion of the Way-finding Program Project Design Services – (#09-101); and

RESOLVED that the City Council of the City of Elizabeth authorizes an Urban Enterprise Zone contract amendment extension to allow for the proper completion of the Way-Finding Program Project Design Services (#09-101) until December 31, 2011.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for an Urban Enterprise Zone contract amendment extension for the Liberty International Project (#09-168) until June 30, 2012; and

WHEREAS, this UEZ contract amendment extension will allow for the proper completion of the Liberty International Project (#09-168) until June 30, 2012; and

RESOLVED that the City Council of the City of Elizabeth authorizes an Urban Enterprise Zone contract amendment extension to allow for the proper completion of the Liberty International Project (#09-168) until June 30, 2012.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for an Urban Enterprise Zone contract amendment extension for Elizabethport Infrastucture Streetscape Project (#08-146) until December 31, 2011; and

WHEREAS, this UEZ contract amendment extension will allow for proper completion of the Elizabethport Infrastructure Streetscape Project (#08-146) until December 31, 2011; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an Urban Enterprise Zone contract amendment extension to allow for the proper completion of the Elizabethport Infrastructure Streetscape Project (#08-146) until December 31, 2011.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has advised that on December 3, 2010 your Honorable Body adopted a resolution authorizing Josephine's Place a contract to provide life skills training to low-moderate income women; and

WHEREAS, authorization is now requested for the proper City officials to amend the agreement by extending the contract period from June 30, 2011 to September 30, 2011; and

WHEREAS, the extension is requested due to staff turnover at Josephine's Place and the time necessary to find a replacement billing clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the amendment to the resolution adopted December 26, 2010 authorizing an agreement with Josephine's Place and the City of Elizabeth by extending the date of said agreement from June 30, 2011 to September 30, 2011 for the reasons stated hereinabove.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

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BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has advised that the City of Elizabeth entered into an grant agreement with the County of Union to receive Neighborhood Stabilization Program (NSP 1), funds in the amount of $300,000.00, which expired on October 10, 2010; and

WHEREAS, the County of Union wishes to extend the expiration date of this agreement to September 30, 2012 to facilitate the completion of previously approved projects. The set aside of $300,000.00 will remain the same; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the amendment to a grant agreement with the County of Union for Neighborhood Stabilization Program (NSP 1) funds in the amount of $300,000.00 specifically the date of said agreement which expired October 10, 2010 to extend the agreement date to September 30, 2012.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, certain tax credits in the previous year of 2003 remain outstanding and unclaimed; and

WHEREAS, the retention period for these records is six years per the State Division of Archives, and the banking institution only retains records for a period of seven years, and

WHEREAS, the City auditors have recommended that all credits outstanding for such a length of time be cancelled and the total amount represented by such credits be received as Miscellaneous Revenue; now, therefore, be it

RESOLVED, that the City Treasurer is hereby authorized to cancel the following tax credits in the amount of $182,453.17 as set forth in the attached schedule for tax year 2003 and the sum of $182,453.17 be credited to Miscellaneous Revenue not anticipated; and be it

FURTHER RESOLVED, that 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.

NOTE: The above referenced "attached schedule" is on file in the City Clerk's Office.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted] Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there remains on the tax lien records premiums as listed on the attached schedule, that are in excess of five years old; or on liens that are foreclosed; and

WHEREAS, N.J.S.A. 54:5-33 states that premiums on accounts that still remain open in excess of five years, shall be turned over to the municipality , and

NOW, THEREFORE, BE IT RESOLVED, that the City Treasurer is hereby authorized to cancel the premiums totaling the amount of $43,800.00 and the sum of $43,800.00 be credited to Miscellaneous Revenue not anticipated.

NOTE: The above referenced "attached Schedule " is on file in the City Clerk's Office.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to provide a Partial Discharge of the City's Mortgage on the following property:

New Owner: Martha Suarez
180A Front Street
Elizabeth, New Jersey 07201
Block No. 1, Lot No. 73B.06

Purchase Date: June 13, 2011

WHEREAS, WATERS EDGE, LLC has received HOME funds to construct six (6) units For Sale Housing; this is the fourth unit that has been sold. **WATERS EDGE, LLC** has sold the property to qualified purchasers and therefore, **WATERS EDGE, LLC** is eligible to a partial release of lien. The property will remain affordable for a period of fifteen (15) years by way of a deed restriction; and

WHEREAS, the City now holds a mortgage on this property in the amount of $83,333.00; and

WHEREAS, the Director of the Department of Planning and Community Development advises that **WATERS EDGE, LLC** is entitled to a Partial Discharge of Mortgage held by the City on the property located at:

New Owner: Martha Suarez
180A Front Street
Elizabeth, New Jersey 07201
Block No. 1, Lot No. 73B.06

Purchase Date: June 13, 2011

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to provide a partial discharge said mortgage on the above property.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, Dorothy D. Black died on May 23, 2010 and bequeath to the City of Elizabeth in her Last Will & Testament one-ninth (1/9th) of her residuary estate for use at the Elizabeth City Pound; and

WHEREAS, the attorney for her estate, Alfred J. Sauer, has forwarded to City Attorney's office of the City of Elizabeth an informal accounting and release and refunding bond for signature by the proper City Officials. The one-ninth (1/9th) share of her estate is Forty-Two Thousand, Six Hundred Three Dollars, and Fifty-One Cents ($42,603.51), said funds to be used for the City of Elizabeth City Pound; and

WHEREAS the City's in receipt of the informal accounting and release and refunding bond by Mr. Sauer and the same appears to be in order; and

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute the informal accounting and release and refunding bond for the Estate of Dorothy D. Black and authorizes the City of Elizabeth to accept the bequest of Forty-Two Thousand, Six-Hundred Three Dollars, and Fifty-One Cents ($42,603.51) from the Estate of Dorothy D. Black to be used for the City of Elizabeth's Dog Pound.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **622 Grier Avenue, 2nd Floor, Elizabeth, New Jersey 07202,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Grier Avenue
beginning at a point 240' North of Bayway Avenue
continuing 22' North thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R-7-8.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby amends Chapter 10.44.020 of the Code of the City of Elizabeth to delete the handicapped parking space at premises commonly known as **409 First Avenue,** and **113 Smith Street, Elizabeth, New Jersey** in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the **Morris Avenue Midtown Business Association (MMBA)** has requested permission to conduct their annual **Colombian Cultural Festival** and to use the vacant lots located at #330-380 Union Avenue, between Julian Place and Westfield Avenue to be used for the mechanical rides. The festival which will take place to be held on Friday, July 29, 2011 through Sunday, July 31, 2011. They have also requested permission to install three banners on Morris and Westfield Avenues announcing festival activities; and

RESOLVED that the **Morris Avenue Midtown Business Association (MMBA)** is hereby granted permission for to conduct their annual **Colombian Cultural Festival** on Friday, July 29, 2011 through Sunday, July 31, 2011 and requesting permission to use the vacant lots located at #330-380 Union Avenue, between Julian Place and Westfield Avenue to be used for the mechanical rides which will take place to be held on Friday, July 29, 2011 through Sunday, July 31, 2011, and to install three banners on Morris and Westfield Avenues announcing festival activities provided that they comply with all provisions contained in Chapter 12.56 of the Code of the City of Elizabeth.

Councilwoman Perkins-Auguste stated that Council just voted on the Morris Avenue Streetscape Project and Kean University is trying to revitalize the Morris Avenue area. She continued that the Morris Midtown Business Association is trying to show the rich Colombian culture and dining.

Council President Keenan stated that he is happy to support the use of City-owned property for this festival and then announced for everyone to come out and support this affair.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE: [redacted]

RESOLVED that City Council of the City of Elizabeth hereby confirms and approves the payment of all utility bills for the City of Elizabeth as indicated hereinbelow; and be it

FURTHER RESOLVED that the foregoing payments are excepted from the requirement of bidding by the provisions of the Local Public Contracts Law **N.J.S.A**. 40A:11-5(1)(f); and be it

FURTHER RESOLVED that the following certifications of availability of funds are on file in the office of the City Clerk:

ELIZABETHTOW N GAS	**1-07-55-500-SEW-351**	**$**	**12,562.54**
FLEETCOR TECHNOLOGIES SERVICES	**1-01-31-460**	**$**	**112,048.65**
HESS CORPORATION	**1-01-31-435**	**$**	**35,564.51**
NATIONAL FUEL OIL, INC.	**1-01-31-446**	**$**	**13,713.88**
NATIONAL TERMINAL, INC.	**1-01-31-447**	**$**	**6,855.20**
PSE&G	**1-01-31-430**	**$**	**51,124.48**
SPRINT	**1-01-31-440**	**$**	**123.16**
VERIZON	**1-01-31-440**	**$**	**18,576.00**
VERIZON WIRELESS	**1-01-31-440**	**$**	**672.16**
VERIZON WIRELESS	**1-01-31-440**	**$**	**18,528.39**
VERIZON COMMUNICATIONS, INC.	**1-01-31-440**	**$**	**671.56**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

[redacted]

BY COUNCIL AS A WHOLE:

RESOLVED that the following bingo and raffle licenses issued by the City Clerk are here by approved:

ORGANIZATION	AG	B.L.	R.L.	DATE

No bingo or Raffle filed

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth, New Jersey, would like to take this opportunity to acknowledge Mr. Luis Posada, an ex-political prisoner from Cuba, who is highly regarded by the Cuban community in Elizabeth and who was publicly recognized at the recent Cuban Day Parade, now therefore be it

RESOLVED that the City Council of the City of Elizabeth congratulates Mr. Posada on his accomplishment, and be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of City Council and that a certified copy be forwarded to Mr. Posada.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted], Gallman Mazza, and President Keenan, - [redacted] 6

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the Greater Elizabeth Chamber of Commerce will be celebrating their Fourteenth Annual Dinner on Wednesday, September 14, 2011 on board the yacht Cornucopia Princess; and

WHEREAS, during the annual dinner, the Greater Elizabeth Chamber of Commerce will bestow their "President's Award" to Elizabeth Truck Center. This award is being presented to the Elizabeth Truck Center's in recognition of their significant contributions to the economic conditions in the City of Elizabeth; and

WHEREAS, the Elizabeth Truck Center is a company has a significant impact on the economy of the City of Elizabeth; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its appreciation and congratulates the Elizabeth Truck Center for being this years Greater Elizabeth Chamber of Commerce's recipient of the "President's Award" which recognizes the Elizabeth Truck Center's significant contributions to the economic conditions in the City of Elizabeth; now, therefore, be it

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of City Council and a certified copy be sent to the Elizabeth Truck Center.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, [redacted] Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the Greater Elizabeth Chamber of Commerce will be celebrating their Fourteenth Annual Dinner on Wednesday, September 14, 2011 on board the yacht Cornucopia Princess; and

WHEREAS, during the annual dinner, the Greater Elizabeth Chamber of Commerce will bestow their "Member to Member" Award to the Jewish Family Service of Central New Jersey. Jewish Family Service of Central New Jersey provides an example to fellow Chamber members of high quality social services provided to the community during the course of the year; and

WHEREAS, Jewish Family Service of Central New Jersey is also the oldest existing original member of the Chamber; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its appreciation and congratulates the Jewish Family Service of Central New Jersey as being this years Greater Elizabeth Chamber of Commerce recipient of the "Member to Member" Award. This award recognizes the Jewish Family Service of Central New Jersey" for providing an example to fellow Chamber members of high quality social services provided to the community during the course of the year; and

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of City Council and a certified copy be sent to the Jewish Family Service of Central New Jersey.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - [redacted] 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the Greater Elizabeth Chamber of Commerce will be celebrating their Fourteenth Annual Dinner on Wednesday, September 14, 2011 on board the yacht Cornucopia Princess; and

WHEREAS, during the annual dinner, the Greater Elizabeth Chamber of Commerce will bestow their "Member to Chamber" Award to M & M Construction Company, Inc. M & M Construction Company, Inc., has contributed a great deal to sustaining the Greater Elizabeth Chamber of Commerce; and

WHEREAS, M & M Construction Company, Inc. has been very instrumental in the Greater Elizabeth Chamber of Commerce's continued success, thus enabling the Chamber to continue to grow and prosper; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its appreciation and congratulates M & M Construction Company, Inc. as being this years Greater Elizabeth Chamber of Commerce recipient of the "Member to Chamber" Award. This award recognizes M & M Construction Company, Inc. for their contributions to the Greater Elizabeth Chamber of Commerce which have sustained and provided continued success enabling the Greater Chamber of Commerce to continue to grow and prosper; and be it

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of City Council and a certified copy be sent to the M & M Construction Company, Inc.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, [redacted], Gallman, Mazza, and President Keenan - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Gasper J. "Rip" Marino, 89; and

WHEREAS, born in Elizabeth, Gasper lived in Roselle for 60 years; and

WHEREAS, he worked for the Hod Carriers Union Local 394, Elizabeth, for thirty years, retiring thirty years ago; and

WHEREAS, Gasper was a Navy veteran of World War II and received four stars in the Asiatic-Pacific and one star in the Philippines; and

WHEREAS, he was a loving husband, father, grandfather, great-grandfather, son and brother; and

WHEREAS, surviving are his wife of sixty-four years, Frances (Paone) Marino; five children, Roseann Palmisano, Frances Marino-Pinho, Marilynn Marino, Joseph Anthony "Tony" Marino, Michael Marino; eight grandchildren and two great-grandchildren; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Gasper J. "Rip" Marino and wishes to express sympathy to his family, relatives and friends at this time of their loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of the City Council and a certified copy be sent to his family.

Which was adopted unanimously by a standing vote and minute of silent prayer.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Antonio "Tony" Caruso, 91; and

WHEREAS, born in Calabria, Italy. He served in the Italian Royal Army during World War II. He came to the United States and Elizabeth in 1956 and

WHEREAS, Anthony was a devoted Catholic and was a communicant of St. Anthony of Padua Church in Elizabeth; and

WHEREAS, Mr. Caruso was a mason for the City of Elizabeth Department of Public Works for thirty years, retiring in 1981. Prior to working for the Elizabeth Department of Public Works, he worked for the Caruso Bros. Construction Co. for over twenty-five years; and

WHEREAS, in his free time, he enjoyed his garden; and

WHEREAS, Mr. Caruso was the beloved husband of the late Nella (Caprino) Caruso (2007); devoted father of Denny Caruso and his wife, Geraldine, of Roselle Park, N.J., Ben Caruso of Fanwood, N.J., and his late wife, Sharon, Joseph Caruso of Old Bridge, N.J., Maria Liquori and her husband, Frank of Woodbridge, N.J. and Roseanne Dellemonache and her husband, Joseph, of Denville, N.J., cherished grandfather of fourteen and great-grandfather of one; and

WHEREAS, he was always cared and comforted by his caretakers, Dora, Ruth, Evelyn and Eider; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Antonio "Tony" Caruso and wishes to express sympathy to his family, relatives and friends at this time of their loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of the City Council and a certified copy be sent to his family.

Which was adopted unanimously by a standing vote and minute of silent prayer.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Vincenzo Catalanotto, 75; and

WHEREAS, born in Ribera, Sicily, Italy, Vincenzo moved to England after his marriage to his wife, Maria, then to Elizabeth, New Jersey in 1970 and settled in Old Bridge, N. J. in 1989; and

WHEREAS, Vincenzo was a laborer with the Laborers Local 394 in Elizabeth for twenty years, retiring in 1997; and

WHEREAS, the most important aspect of his life was his children and grandchildren. He was a loving husband, father and grandfather and is survived by his devoted wife of forty-seven years, Maria (nee Bongiovi) Catalanotto; loving daughter, Phyllis Garron, and her husband, Steve; sons, Luigi Catalanotto and his wife, Anna, Giuseppe Catalanotto and his wife, Michele, and daughter-in-law, Viviana Catalanotto and nine adoring grandchildren. He was predeceased by his son, Frank Catalanotto; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Vincenzo Catalanotto and wishes to express sympathy to his family, relatives and friends at this time of their loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of the City Council and a certified copy be sent to his family.

Which was adopted unanimously by a standing vote and minute of silent prayer.

Councilman Gonzalez moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Keenan declared City Council adjourned at

8:10 p.m.

APPROVED

JOSEPH KEENAN
President of City Council

YOLANDA M. ROBERTS, R.M.C.
City Clerk