

PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
July 27, 2010
7:30 p.m.

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

President Frank J. Cuesta 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, Chap. 231, P.L. 1975 on December 23, 2009.

PRESENT: Council Members-at-Large: Patricia Perkins-Auguste; Edward Jackus;
Council Members: ~~Manny Grova~~, 1st Ward;
Nelson Gonzalez, 2nd Ward; Joseph Keenan, 3rd Ward;
Carlos Cedeno, 4th Ward; William Gallman, Jr., 5th Ward;
Frank O. Mazza, 6th Ward; and
President Frank J. Cuesta, Council Member-at-Large - ~~1~~ 8

ABSENT: Grova - 1

ALSO PRESENT: Raymond T. Bolanowski, First Assistant City Attorney

Councilman Gonzalez delivered the opening prayer and led all present in the Pledge of Allegiance to the American Flag.

PUBLIC SPEAKING

Mr. J. Teixeira, 1054 North Avenue, addressed the "No Parking" from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., stating that many residents on North Avenue do not have driveways. He continued that the residents were here tonight to file a petition for the taxpayers of North Avenue.

Mr. Henry Moss, 1130 North Avenue, stated that he was here tonight to address the parking situation on North Avenue. He continued that regardless of the ordinance being adopted in 1944, no one was given any warning that these signs were going to be reinstated and since they have been installed, they have created problems.

Ms. Mary Francis Hayek, 1126 North Avenue, stated that she now has to get up at 6:00 a.m. to move her car before 7:00 a.m. She continued that several times she has had to park a distance away from her home and walking back is hard for her and sometimes she falls because she has difficulty in walking. She stated further that once she fell and had to go to the doctor for treatment. Ms. Hayek stated that her tenant received a ticket because she did not want to walk 2½ blocks in the dark.

Ms. Vivian Lopes, 1068 North Avenue, stated that sometimes she has to leave her small children just to look for a parking space and her tenant has to bring her infant child out just to move to another parking space.

Mr. Nelson Ramirez, 1068 North Avenue, stated that he works at night and he has spent up to two hours driving around looking for a parking space, and in his opinion, it is an inconvenience.

Ms. Lalsacs, 1100 North Avenue, stated that the main issue will be when school is in session; what is going to happen then? She continued that it has taken up to an hour at times just to find a space.

In closing, she petitioned City Council to consider this issue before schools open. A North Avenue resident spoke to the Elizabeth Board of Education asking "What is going on with the Board of Education?" She continued that the Board of Education is an elected board, but, in her opinion, it should be an appointed board. She stated further that entire families are employed by the Board of Education. She requested of City Council to consider having the Mayor appoint members to the Board of Education. She

continued, in her opinion, she sees nine people who have no feelings for the children and when you have people from Cranford, Westfield, Kenilworth and even Princeton talking about the Elizabeth Board of Education, something is wrong. She stated further that children should be given a choice of a second language, but they have instituted that all of the children must speak Spanish.

The speaker stated to get rid of these nine people and to get people who really care about the children of Elizabeth.

Ms. Marcella Cooper, 118 Inslee Place, stated that her daughter and a friend left School No. 1 and the friend was assaulted by a group of boys in the area of 173 First Street. She continued that according to her daughter, there were two police officers sitting in the restaurant and they went to them for assistance. Ms. Cooper stated that in the course of events, her daughter was assaulted by the officers. She continued that her daughter was mistaken for an adult and the officers did not know that she was a witness to the assault. She stated further that her seven year old son witnessed words that were not their given names.

Ms. Cooper queried to what the proper procedure was for filing a complaint and asked for their help in resolving this matter.

Ms. Doris Major, 1134 North Avenue, stated that North Avenue is a speedway. She continued that a dog was hit by a "hit and run" motorist. Also, she spoke regarding the "No Parking from 7:00 a.m. – 9:00 a.m. and 4:00 p.m. to 6:00 p.m., stating that she considered parking at the train station because residents that live on this street have no where to park. She suggested that the City issue parking decals for the residents or install a sign "Resident Parking Only."

Mr. Ernest Smith stated that the direction of the City is going down hill. He continued that the school system has gone array and he is not proud of the school system at this time. He stated further that the City cannot survive when the two entities are going in different directions.

Mr. Smith stated that when you live out of the City, you will not have the same feeling about Elizabeth. He suggested that City Council look into employees residing in the City.

Council President Cuesta stated several issues were discussed tonight and many of the residents came for the issue with parking. He continued that the residents were not given any notice of the signs going up and that was wrong.

In closing, he announced that this issue will not be ignored.

Councilman Gallman stated that City Council is concerned about the residents' well being. He continued that the way the signs were put up was handled incorrectly and, in his opinion, every ticket that was issued should be dismissed. He stated further that City Council will continue to pursue this because neither he nor his colleagues had any knowledge of this. Councilman Gallman stated that he became aware of it when he received phone calls from the residents.

Councilman Gallman stated that the City must find other means of funding revenue without "attacking our residents."

Councilman Gallman spoke to the budget for the Board of Education stating that City Council made good recommendations regarding their budget but the State overrode this Council's recommendations so don't blame this Council – look to the "School Board."

Councilwoman Perkins-Auguste queried to rescinding the ordinance.

The Attorney responded that the ordinance could be rescinded, but all of the information would have to be provided.

Councilman Mazza stated that he spoke to the Mayor regarding the parking issue and was advised that the ordinance was very old and many of the signs were removed for whatever reason. He announced that if the residents received a ticket, go to Court and let the Judge know that there will be a moratorium.

Councilman Gonzalez agreed with Councilwoman Perkins-Auguste in rescinding the ordinance as soon as possible.

Councilman Gonzalez stated that he "wonders" himself what is going on with the Board of Education. He continued that Council cut their budget approximately \$5 million dollars and the State Board of Education turns around and grants the original \$48 million dollars. He stated further that the State overlooked the wishes of the voters; the Governor, Commissioner of Education, County Superintendent, all went ahead and disregarded the wishes of the voters.

Councilman Gonzalez stated that the budget for the Board of Education was raised thereby increasing taxes 10%.

Councilman Cedeno thanked the mother for coming tonight and Council will look into her situation.

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

Councilman Gonzalez moved for the approval of Minutes of Council meetings, which was seconded by Council President Cuesta.

The minutes of the City Council meetings held October 20, 27; November 4, 10, 17, 24; December 1, 8, 15 and 22, 2009, were approved, as printed, unanimously.

PUBLIC HEARINGS

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4140**, entitled:

AN ORDINANCE TO AMEND CHAPTER 13.16.130 (B) (2), 13.16.130 (B) (3) (a), 13.16.130 (B) (3) (b) AND H OF THE CODE OF ELIZABETH TO INCREASE THE SEWER RATES IN THE CITY OF ELIZABETH.

This ordinance was adopted on its first reading at the meeting of City Council held on **June 22, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **July 19, 2010**.

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

Mr. Paul Hauge, Esq., Gibbons PC, Newark, N.J., spoke on behalf of his client, Papetti's Higrade Egg Products, Inc., Elizabeth, stating that he is in opposition to the

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proposed Ordinance No. 4140, which would amend the Municipal Code to increase sewer rates and charge by ten percent, effective September 1, 2010.

Mr. Hague stated that Papetti's is a longstanding member of the Elizabeth community, where it employs approximately 500 people and currently operates two processing facilities in Elizabeth. He continued that Papetti's pays some \$2,000,000.00 per year in sewer charges and those charges have been increasing steadily for a number of years. He stated further that in 2009 alone, two ordinances, Ordinance No. 4019, adopted February, 2009 and Ordinance No. 4085, adopted in November, 2009, together increased sewer rates and charges by more than 25 percent and that the proposed increase now under consideration will have risen by at least 38 percent in just sixteen months. Mr. Hague stated that at a time when slow or negative economic growth has exerted very little upward pressure on prices, it is disconcerting to see sewer rates skyrocket in this way.

Mr. Hague stated that the Municipal and County Sewerage Act authorizes Elizabeth to set and collect sewer charges, requires that those charges be equitable, and that they be set so as to recover only the actual costs of acquisition, construction or operation, including reasonable contingencies of the City's sewerage facilities. He continued that for several years, Papetti's has sought information from various City departments on the basis for the recent rate increases, but these efforts have yielded only the most general statements. He stated further that the only information that they have been able to obtain in reference to the proposal now before Council is a one-page letter from the Chief Financial Officer to the Council setting forth general categories of costs, but providing absolutely no data to justify the proposed increase.

Mr. Hague stated that unless the cost of treating sewage with high levels of total suspended solids or biological oxygen demand has increased by at least ten percent in the past seven months, the increases in the surcharges cannot be justified.

In closing, Mr. Hague stated that the proposed rate increase lacks any factual support, is arbitrary, and has no legal basis. On behalf of Papetti's, Mr. Hague urged City Council to reject any proposed ordinance that would raise sewer rates yet again.

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

Council President Cuesta announced that public hearing on **Ordinance No. 4141**, entitled: "An Ordinance Authorizing Amendments To Various Chapters of the Code of the City of Elizabeth, Specifically to Revise Fees and Fines Charged For Services Provided by the City," has been cancelled.

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4142**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR STEPHANIE LUBAS, 208 GENEVA STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **June 22, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **July 19, 2010**.

Council President Cuesta asked if there was anyone present who wished to speak either for or against the adoption of the ordinance.

There being no one present who desired to be heard, Council President Cuesta declared the public hearing closed.

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4143**, entitled:

**STATE FISCAL YEAR 2011
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
COST OF LIVING ALLOWANCE (COLA) AND TO ESTABLISH A
CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT
(N.J.S.A. 40A:4-45.14)**

This ordinance was adopted on its first reading at a special meeting of City Council held on **July 6, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **July 19, 2010**.

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

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

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated July 6, 2010, from His Honor the Mayor reappointing Public Defenders for the Elizabeth Municipal Court: Candido Rodriguez, Jr., Esq. (Chief Public Defender) and Diene Hernandez-Rodriguez, Esq., of Candido Rodriguez, Jr., Diene Hernandez-Rodriguez, L.L.C., Attorneys at Law, 442 Westfield Avenue, Elizabeth, N.J.; Chanima K. Odoms, Esq., 1812 Front Street, Scotch Plains, N.J.; Deirdre M. Mason, Esq., 1812 Front Street, Scotch Plains, N.J.; Celeste Dudley-Smith, Esq., 1185 Morris Avenue, Suite 103, Union N.J.; Nuno Afonso, Esq., 1235 Morris Avenue, Union, N.J.; appointment of Paul Femia, Esq., Law Office of Paul Femia, 511 Westminster Avenue, Elizabeth, N.J. and Lindal Scott Foster, Esq., Scott Foster, LLC, 1139 East Jersey Street, Suite 401, Elizabeth, N.J.; appointment of Maria M. Dias, Attorney at Law, 701 Westfield Avenue, Elizabeth, N.J. for the period covering July 1, 2010 to June 30, 2011, at a rate of \$300.00 per session, for a total amount not to exceed \$140,000.00. Which was received.

By the Clerk:

Letter dated June 18, 2010, from the Business Administrator requesting authorization for the proper City officials to execute an Indemnification Agreement with the Elizabeth Board of Education covering the City's utilization of their facilities during the 2010-2011 Fiscal Year July 1, 2010 to June 30, 2011. Which was received.

By the Clerk:

Letter dated June 23, 2010, from the Business Administrator recommending the award of a contract to Gen-el Safety & Industrial Products, 961 Route 10 East, Suite 2M, Randolph, N.J., for monitors and accessories for environmental testing for the period June 11, 2010 through November 30, 2010, at a cost not to exceed \$40,000.00. Which was received.

By the Clerk:

Letter dated June 23, 2010, from the Business Administrator recommending the award of a contract to Campbell Supply, 145 Talmadge Road, Suite 8, Edison, N.J., for the emergency purchase of Fire Pump assembly repair parts for Fire Pumper #10 in the amount of \$7,000.00. Which was received.

By the Clerk:

Letter dated June 23, 2010, from the Business Administrator recommending the award of a contract to Gen-el Safety & Industrial Products, 961 Route 10 East, Suite 2M, Randolph, N.J., for Pelican lights and storage cases, for the period June 11, 2010 through April 30, 2011, at a cost not to exceed \$40,000.00. Which was received.

By the Clerk:

Letter dated June 25, 2010, from the Business Administrator requesting authorization for the proper City officials to award a contract to William H. Malone, P.O. Box 586, Paramus, N.J., to provide insurance management consulting services for the period July 1, 2009 to June 30, 2010, for a flat fee of \$25,000.00. Which was received.

By the Clerk:

Letter dated June 25, 2010, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Kean University, 1000 Morris Avenue, Union, N.J., for Data Processing & Telecommunications Technical Services for a one-year period commencing July 1, 2010 to June 30, 2011, at a cost not to exceed \$50,500.00. Which was received.

By the Clerk:

Letter dated June 25, 2010, from the Business Administrator recommending the award of a professional service contract to Dr. Michael R. Zabolski, 240 Williamson Street, Suite 204, Elizabeth, N.J., as the Physician for the Elizabeth Police Department for the period July 1, 2010 to June 30, 2011, at a total fee not to exceed \$18,000.00. Which was received.

By the Clerk:

Letter dated June 25, 2010, from the Business Administrator recommending the renewal of the contract with International Healthcare Services, Inc., c/o Dimensional Management, 1030 St. George Avenue, Avenel, N.J., in order to continue the HMO Dental Insurance Program for employees of the City of Elizabeth for a three (3) year period commencing July 1, 2010 to June 30, 2013, at a cost not to exceed \$245,000.00. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the Business Administrator requesting authorization for the proper City officials to enter into a contract with the State of New Jersey to provide gasoline to the Department of Environmental Protection, Division of Fish and Wildlife, which will be billed in accordance with the requirements of the Public Works Department. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the Business Administrator recommending the award of a contract to Ben Shaffer & Associates, Inc., P.O. Box 844, Lake Hopatcong, N.J., for Park and Playground Equipment for the Recreation and Public Works Departments, for the period July 1, 2010 through February 28, 2011, at a cost not to exceed \$30,000.00. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the Business Administrator recommending the award of a contract to National Fuel Oil, Inc., 175 Orange Street, Newark, N.J., for gasoline for the Public Works Marina, for the period July 1, 2010 through March 31, 2011, at a cost not to exceed \$90,000.00. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the Business Administrator requesting authorization for the proper City officials to execute a policy of insurance to Midwest Employers Casualty Company, 13801 Riverport Drive, Maryland Heights, MO, through the agent-of-record, Regional Risk Managers, LLC, to cover the Excess Insurance on Worker's Compensation for the period July 1, 2010 to June 30, 2011, at an annual premium of \$162,071.00. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the Business Administrator requesting from your Honorable Body an ordinance to amend Chapter 2.104.030 of the Code of the City of Elizabeth relating to Residence in City Required—Exception, specifically to waive the residency requirement for all employees after fifteen (15) years of permanent employment with the City. Which was received.

By the Clerk:

Letter dated July 2, 2010, from the Business Administrator recommending the award of a contract to Archonix Systems, 17000 Commerce Parkway, Suite C, Mount Laurel, N.J., for Maintenance and Annual License for software for the Police System, for a one year period in the amount of \$69,921.00. Which was received.

By the Clerk:

Letter dated July 2, 2010, from the Business Administrator recommending the award of a contract to Hess Corporation, 1 Hess Plaza, Woodbridge, N.J., for purchase of electricity, through the New Jersey Sustainable Energy Joint Meeting, for the period July 1, 2010 through May 31, 2011, at a rate of 11% below basic generation service. Which was received.

By the Clerk:

Letter dated July 2, 2010, from the Business Administrator recommending the award of a contract to Maffey's Lock & Safe Co., Inc., 1172 East Grand Street, Elizabeth, N.J., under the Union County Cooperative Purchasing contract, for the purchase of Surveillance Equipment for the Police Department for the period June 7, 2010 through June 6, 2012, at a cost not to exceed \$400,000.00. Which was received.

By the Clerk:

Letter dated July 2, 2010, from the Business Administrator requesting authorization for the proper City officials to negotiate and execute an amendment to the Baker Center Redevelopment Agreement adopted August 23, 2005. Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Business Administrator recommending the renewal of a contract to Genova, Burns & Giantomasi, 494 Broad Street, Newark, N.J., to provide employment counsel for the period July 1, 2010 to June 30, 2011, at a rate of \$175.00 per hour for attorneys, \$75.00 per hour for paralegals and \$25.00 per hour for secretarial overtime, if authorized by the City Attorney, for a total cap of \$95,000.00. Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Business Administrator requesting an ordinance authorizing non-represented City employees (Chief Financial Officer, City Tax Assessor, Deputy Tax Assessor, Municipal Court Director, Municipal Court Judge, Municipal Court Judge, Chief, Municipal Engineer, Municipal Treasurer and Tax Collector, and Secretary to Board of ABC) base salary annual percentage increases at zero percent (0%) for July 1, 2009, three and one quarter percent (3.25%) increases for the period July 1, 2010 through June 30, 2013, with each individual contributing 1.5% as of June 30, 2010 towards their Health Benefits. Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Business Administrator requesting a resolution authorizing non-represented City employees (Municipal Clerk and Deputy Municipal Clerk) base salary annual percentage increases at zero percent (0%) for July 1, 2009, three and one quarter percent (3.25%) increases for July 1, 2010 through June 30, 2013, with each individual contributing 1.5% as of June 30, 2010 towards their Health Benefits. Which was received.

[REDACTED]

[REDACTED]

By the Clerk:

Letter dated July 1, 2010, from the City Attorney recommending the award of respective contracts for legal representation of the City and City employees in litigation where Lacorte, Bundy, Varady & Kinsella, Esqs., have conflicts of interest: Kologi-Simitz, Counselors at Law / Edward J. Kologi, Michael S. Simitz, 923 North Wood Avenue, Linden, N.J.; Robert F. Renaud, Palumbo & Renaud, Attorneys at Law, 190 North Avenue East, (Rte 28) Cranford, N.J.; Daniel Antonelli, Esq., Daniel Antonelli, LLC, 2004 Morris Avenue, Union, N.J.; Peter H. Spaeth, Wolff, Helies, Duggan, Spaeth & Lucas, Counselors at Law, Valley Park Professional Center, 2517 Highway 35, Building K, Suites 201 & 202, Manasquan, N.J.; Guy P. Ryan, Secare, Delanoy, Martino & Ryan, 16 Madison Avenue – Building 1, Toms River, N.J.; Kraig M. Dowd, G. Weber Law, LLC, 188 Newark Pompton Turnpike (Rt. 23), Little Falls, N.J.; Allan C. Roth, Roth Horowitz, LLC, Counselors at Law, 150 Morris Avenue, Suite 206, Springfield, N.J.; Joseph A. Ascione & Janyce M. Wilson, Ascione & Wilson, 226 St. Paul Street, Westfield, N.J.; Raymond S. Londa, Londa & Londa, 277 North Broad Street, Elizabeth, N.J.; Edwin R. Matthews, Bourne, Knoll & Kenyon, 382 Springfield Avenue, Box 690, Summit, N.J., for the period July 1, 2010 to June 30, 2011, at the same rates as the LaCorte, Bundy, Varady & Kinsella contract with an hourly rate of \$175.00 and a cap of \$65,000.00. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the City Attorney recommending awarding a contract to LaCorte, Bundy, Varady & Kinsella, Esqs., 989 Bonnel Court, Union, N.J., to provide defense of Workers' Compensation cases, as well as matters included in the City's self insurance program, for the Fiscal Year July 1, 2010 to June 30, 2011, at a rate of \$175.00 per hour for each hour for each petition, which includes attendance at all hearings, negotiations trials, appeals, etc., plus reasonable expenses; a rate of 15% of recovery of liens involving third party actions, not to exceed \$150,000.00, except as specifically authorized by City Council. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the City Attorney recommending awarding a contract to LaCorte, Bundy, Varady & Kinsella, Esqs., 989 Bonnel Court, Union, N.J., for defense of civil litigation in auto/general liability cases and matters included within the City's self insurance program for the period July 1, 2010 to June 30, 2011, at a rate of \$175.00 per hour for civil litigation in the trial and appellate courts; shall be compensated at \$175.00 per hour for legal work required to defend against late notices of claim, motions and for other miscellaneous matters; shall be paid on the basis of 25% of the amount of recovery, plus reasonable expenses for subrogation claims to recover property damage losses, not to exceed \$450,000.00, except as specifically authorized by City Council. Which was received.

By the Clerk:

Letter dated July 6, 2010, from the City Attorney recommending the award of a contract to Ascione & Wilson, 226 St. Paul Street, Westfield, N.J., to provide Midtown Redevelopment Counsel for the period July 1, 2010 through June 30, 2011, at the rate of \$175.00 per hour for an amount not to exceed \$90,000.00, without further authorization by your Honorable Body. Which was received.

[REDACTED]

[REDACTED]

By the Clerk:

Letter dated June 14, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to credit/refund John Pasko, owner of the property located at 463-465 Third Avenue, a Veteran deduction for Tax Year 2010 in the amount of \$250.00.

Which was received.

By the Clerk:

Letter dated June 21, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel disallowed senior citizen deductions for the Tax Year 2009 as per delineated list in the total amount of \$1,500.00.

Which was received.

By the Clerk:

Letter dated July 1, 2010, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel outstanding and unclaimed checks as set forth on the schedule attached and made a part hereof in the total amount of \$184,519.41, said amount thereof be credited to Miscellaneous Revenue.

Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer requesting that your Honorable Body consider for introduction and approval the Elizabeth Avenue Special Improvement District 2011 Fiscal Budget.

Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer advising that temporary emergency appropriations for the 2011 SFY Municipal and Sewer Utility Budgets may be necessary.

Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer advising that transfers for the 2010 SFY Municipal and Sewer Utility Budgets may be necessary.

Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer requesting authorization for the proper City officials to execute a contract with Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Suite 206, Marlton, N.J., in connection with the City's issuance of municipal and sewer utility debt obligations including bonds and bond anticipation notes for an amount not to exceed \$40,000.00.

Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer requesting authorization for the proper City officials to execute a contract with Blau & Blau, 55 Morris Avenue, Springfield, N.J., to be the primary legal representative of the City in all matters relating to tax appeals for an amount not to exceed \$125,000.00.

Which was received.

[REDACTED]

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer requesting authorization for the proper City officials to execute a contract with DeCotiis, FitzPatrick, Cole & Wisler, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, N.J., to provide bond counsel services in connection with the City's issuance of debt obligations for an amount not to exceed \$60,000.00.
Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer requesting authorization for the proper City officials to execute a contract with Louis C. Mai, CPA & Associates, P.O. Box 624, Pompton Plains, N.J., to provide statutory audits of the General Funds, Sewer Utility Funds, Other Funds, the Single Audit and 5 year comparative statements in an amount not to exceed \$205,000.00.
Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer requesting authorization for the proper City officials to execute a contract with Powell Capital Markets, Inc., 280 Corporate Center, 3 Becker Farm Road, Roseland, N.J., to provide financial advisory services in connection with the City's issuance of municipal and sewer utility debt obligations for an amount not to exceed \$40,000.00.
Which was received.

By the Clerk:

Letter dated July 6, 2010, from the Chief Financial Officer requesting authorization for the proper City officials to execute a contract with Stack, Coolahan & Stack, LLC, 90 Hudson Street, Hoboken, N.J., to provide appraisal and consulting services in connection with State Tax Court appeals in an amount not to exceed \$78,000.00.
Which was received.

By the Clerk:

Letter dated June 17, 2010, from the Director of Health and Human Services requesting authorization to remit to the Elizabeth Board of Education the amount of \$21,474.00 for the use of Nicholas Murray Butler School #23, including custodial, security and bus driver services for the S.O.A.R. Summer Program commencing July 6, 2010 through August 13, 2010.
Which was received.

By the Clerk:

Letter dated June 18, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to amend the resolution, adopted November 10, 2009, with the Urban League of Union County, specifically to extend the contract term to December 31, 2010.
Which was received.

By the Clerk:

Letter dated June 22, 2010, from the Department of Planning and Community Development requesting that City Council declare August 3, 2010, as the 27th Anniversary of National Night Out to be held at Carteret Park from 6 p.m. to 8 p.m.
Which was received.

[REDACTED]

[REDACTED]

By the Clerk:

Letter dated June 23, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to provide funds to partially defray the recreation costs for the Bureau of Tourism, Cultural Affairs' Annual 5th Ward Cookout/Health Fair to be held on July 10, 2010; the term of the contract will extend from July 1, 2010 to June 30, 2011, in the amount of \$1,425.00. Which was received.

By the Clerk:

Letter dated June 28, 2010, from the Department of Planning and Community Development requesting authorization to amend a resolution adopted July 28, 2009, authorizing an agreement with Central Jersey Legal Services for Homeless Prevention and Rapid Re-Housing Program funding, under the American Recovery and Reinvestment Act (ARRA), specifically to accelerate the funds allocated for Year Two amending the period of September 1, 2009 to October 31, 2011, resulting in additional funds in the amount of \$10,000.00. Which was received.

By the Clerk:

Letter dated July 2, 2010, from the Department of Planning and Community Development recommending the award of a contract to PMK Group, Inc., a Birdsall Service Group business unit, 65 Jackson Drive, Cranford, N.J., to provide professional environmental consulting engineering services in connection with the acquisition of 244-246, 248-252 Harrison Street; 252-254 Union Street; 48-50, 52 Westfield Avenue in the Midtown Redevelopment Area at a cost not to exceed \$81,800.00. Which was received.

By the Clerk:

Letter dated June 28, 2010, from the Director of Public Works requesting permission to have a lien placed against properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of \$9,200.01. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the Director of Public Works recommending the award of a contract to Toll Associates, PA, 388 Elmora Avenue, Elizabeth, N.J., to provide architectural and construction management services in connection with the North Broad Street Streetscape Project at a cost not to exceed \$68,400.00. Which was received.

By the Clerk:

Letter dated July 1, 2010, from the Director of Public Works recommending the award of a contract to Envar Services, Inc., 505 Milltown Road, New Brunswick, N.J., to provide marina and waterfront engineering services in connection with repairs to the Wave Screen at the Municipal Marina at a cost not to exceed \$40,000.00. Which was received.

By the Clerk:

Letter dated July 2, 2010, from the Director of Public Works recommending the award of a contract to Maser Consulting, P.A., One River Centre- Building Two, 331 Newman Springs Road, Red Bank, N.J., to provide professional engineering services for the design and construction management of the Fred Erxleben Recreation Center gymnasium floor resurfacing at a cost not to exceed \$8,500.00. Which was received.

By the Clerk:

Letter dated June 14, 2010, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the 2010 State Body Armor Replacement Fund program. Which was received.

By the Clerk:

Letter dated June 21, 2010, from the Police Director requesting permission to establish handicapped parking spaces in front of the following premises: 806 Garden Street, (personalized); 157 1/2 Franklin Street (personalized); 1011 Olive Street; 717 Clarkson Avenue; 522 Marshall Street (personalized); 138 Franklin Street; 602 First Avenue; 140 Court Street; 413 South Broad Street; 838 Grove Street; deletions: 156 Magnolia Avenue; 525 Fulton Street; 726 Jackson Avenue, 15 Palmer Street. Which was received.

By the Clerk:

Letter dated June 23, 2010, from Mr. Stephen F. Hehl, 370 Chestnut Street, Union, N.J., on behalf of Metalico, Inc., 502 York Street, Elizabeth, requesting an Encroachment Permit for twenty (20) parking spaces in front of the building that are located partially in the right-of-way. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter July 27, 2010, 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, July 23, 2010. Which was received.

ORDINANCES ON FIRST READING

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. 4144, which was seconded by Councilman Keenan, entitled:

AUTHORIZE AN AMENDMENT TO CHAPTER 2.104.030 OF THE CODE OF THE CITY OF ELIZABETH, ENTITLED "RESIDENCE IN CITY REQUIRED - EXCEPTION", SPECIFICALLY TO WAIVE THE RESIDENCY REQUIREMENT FOR ALL EMPLOYEES AFTER (15) YEARS OF PERMANENT EMPLOYMENT WITH THE CITY.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~_____~~ Gonzalez, Keenan, ~~_____~~, Gallman, ~~_____~~ and President Cuesta - 6

NEGATIVE: ~~_____~~ CEDENO, MAZZA-2

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. 4145, which was seconded by Councilman Keenan, entitled:

AN ORDINANCE TO ESTABLISH THE SALARY FOR CERTAIN UNCLASSIFIED POSITIONS FOR THE PERIOD JULY 1, 2009 THROUGH JUNE 30, 2013.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Stover~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. 4147, which was seconded by Councilman Keenan, entitled:

AN ORDINANCE TO AUTHORIZE A PERSONALIZED HANDICAPPED PARKING SPACE FOR NANCY B. MCDUGALD, 522 MARHSALL STREET, SECOND FLOOR, ELIZABETH, NEW JERSEY

Councilman Jackus stated that he has heard from residents regarding parking in the City and does not know why the City does not have something for the other residents. He continued that during the school year, the residents will not have parking at all. He stated further that Council needs to support the residents by looking at the Hoboken study again and at the next pre-conference he will resurrect the Hoboken study.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Stover~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. 4148, which was seconded by Councilman Keenan, entitled:

AN ORDINANCE TO AUTHORIZE A PERSONALIZED HANDICAPPED PARKING SPACE FOR MANUELA D. FREIRE, 806 GARDEN STREET, SECOND FLOOR, 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, Jackus, ~~Crowe~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 18

NEGATIVE: None

Council President Cuesta announced that public notice will be published fixing Tuesday, August 24, 2010, 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 Ordinances No. 4144, 4145, 4147 and 4148, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Cuesta announced that the next business in order would be the adoption of Ordinance No. 4140, which was seconded by Councilman Keenan:

AN ORDINANCE TO AMEND CHAPTER 13.16.130 (B) (2), 13.16.130 (B) (3) (a), 13.16.130 (B) (3) (b) AND H OF THE CODE OF ELIZABETH TO INCREASE THE SEWER RATES IN THE CITY OF ELIZABETH.

BE IT ORDAINED BY CITY COUNCIL OF ELIZABETH AS A WHOLE:

SECTION 1 - That Chapter 13.16.130 (B) (2) of the Code of the City of Elizabeth is hereby amended to read as follows;

“(2) The user charge shall be three dollars and forty six and three one-tenths cents (\$3.463) per one hundred (100) cubic feet of water.”

SECTION 2. That Chapter 13.16.130 (B) (3) (a) of the Code of the City of Elizabeth is hereby amended to read as follows;

“(a) For wastes with suspended solids in concentrations greater than one hundred eighty (180) milligrams per liter, a surcharge of forty three and one-tenths cents (\$0.431) per pound.”

SECTION 3. That Chapter 13.16.130 (B) (3) (b) of the Code of the City of Elizabeth is hereby amended to read as follows;

“(b) For wastes with concentrations of five-day BOD in excess of two hundred ten (210) milligrams per liter, a surcharge of seventy six and eight-tenths cents (\$0.768) per pound.”

SECTION 4. That Chapter 13.16.130 of the Code of the City of Elizabeth is hereby amended to read as follows;

“H. Facility charges. The base charge for metered service shall be as follows:

Meter Diameter In inches	Charge Per Quarter
5/8	\$3.82
3/4	\$10.19
1	\$26.37
1 1/2	\$72.62
2	\$137.37
3	\$322.36
4	\$581.36
6	\$1,321.33
8	\$2,357.31
10	\$3,689.87

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 6. 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 7. 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 22, 2010.

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 **July 19, 2010.**

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

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Casta~~,
Gonzalez, Keenan, ~~Casta~~, Gallman, ~~Mazza~~,
and President Cuesta - **6**

NEGATIVE: ~~Casta~~ **CEDENO, MAZZA - 2**

Council President Cuesta announced that the next business in order would be the adoption of Ordinance No. 4142, which was seconded by Councilman Keenan:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR STEPHANIE LUBAS, 208 GENEVA STREET, ELIZABETH, NEW JERSEY.

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

SECTION 1. - A personalized handicapped parking space for Stephanie Lubas, is established in front of 208 Geneva Street, Elizabeth, New Jersey as follows pursuant to the recommendation of the Elizabeth Police Director: along the East curb line of Geneva Street beginning at a point 103' South of Second Avenue and continuing 22' South thereof.

SECTION 2. - The administrative and enforcement aspects of this Ordinance shall be under the jurisdiction of the Police Department of the City of Elizabeth.

SECTION 3. - All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed.

SECTION 4 - 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 5 - 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 22, 2010.

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 July 19, 2010.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, [redacted], Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4143**, which was seconded by Councilman Keenan:

**STATE FISCAL YEAR 2011
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
COST OF LIVING ALLOWANCE (COLA) AND TO ESTABLISH A
CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to **2.5 %** or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than **2.5 %**, increase its final appropriations by a percentage rate greater than the COLA, but not to exceed the **3.5 %** rate as specified in the law, when authorized by ordinance; and

WHEREAS, the COLA for State Fiscal Year 2011 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as **2.5 %**; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than **2.5 %**, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the **3.5 %** percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the City Council of the City of Elizabeth in the County of Union finds it advisable and necessary to increase its State Fiscal Year 2011 budget by more than **2.5 %** over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and

WHEREAS, the City Council of the City of Elizabeth hereby determines a **1.0 %** increase in the budget for said year, amounting to **\$1,629,380.90** in excess of the increase in the final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the City Council of the City of Elizabeth hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Elizabeth in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the fiscal year 2011 budget year, the final appropriations of the City of Elizabeth shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by **3.5 %**, amounting to **\$5,702,833.15** and that the State Fiscal Year 2011 municipal budget for the City of Elizabeth be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at a Special City Council meeting held **July 6, 2010**.

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 **July 19, 2010**.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Cruz~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - ~~8~~ 8

NEGATIVE: None

NEW BUSINESS

Councilman Kennan **MOVED** for a Suspension of the Rules to consider an ordinance and resolutions which do not appear on the agenda, seconded by Councilman Gonzalez, and

Which was carried unanimously.

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. 4149, which was seconded by Councilman Keenan, entitled:

AN ORDINANCE AUTHORIZING AMENDMENTS TO VARIOUS CHAPTERS OF THE CODE OF THE CITY OF ELIZABETH, SPECIFICALLY TO REVISE FEES AND FINES CHARGED FOR SERVICES PROVIDED BY THE CITY.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Cueva~~, Gonzalez, Keenan, ~~Cedeno~~, Gallman, Mazza, and President Cuesta - **17**

NEGATIVE: ~~None~~ **CEDENO - 1**

Council President Cuesta announced that public notice will be published fixing Tuesday, August 24, 2010, 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 No. 4149, adopted on first reading.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Police Director has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for the New Jersey Department of Transportation Red Light Running (RLR) Automated Enforcement Program and

WHEREAS, according to the Red Light Automated Enforcement overview on the Department of Transportation's website, "on January 13, 2008, Assembly Bill 4314 was signed into law requiring the Commissioner of Transportation to establish a five year pilot program to determine the effectiveness of the installation and utilization of traffic control signal monitoring systems in New Jersey. A traffic control signal monitoring system (also known as a RLR system) is an integrated system or device utilizing a camera, or a multiple camera system, and vehicle sensors which work in conjunction with a traffic control signal to produce images of vehicles disregarding a red signal or running a red light." and

WHEREAS, with the anticipated inclusion into the RLR Program, the City of Elizabeth will incorporate red light cameras at the following intersections: Rt. 1 (Spring Street) & Maple Avenue; Rt. 1 (Spring Street) & East Jersey; Rt. 1 (Spring Street) & Fairmount Avenues; as well as Route 1 (Spring Street) & East Grand Street and

WHEREAS, acceptance into this program will enhance vehicular and pedestrian safety; reduce overall accidents; and provide an additional tool for the Elizabeth Police Department to effectively address safe and secure transportation throughout the City, now therefore be it

RESOLVED, that the proper City Officials are authorized to apply, accept and sign appropriate documents for the New Jersey Department of Transportation Red Light Running (RLR) Automated Enforcement Program.

Councilman Gonzalez stated that motorists run lights along Routes 1 & 9, so this will be a "good thing" for the City.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Cueva~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for the Greening Union County Program Grant for an amount not to exceed \$20,000.00; and

WHEREAS, through the Greening Union County grant initiative, every tree purchased by our community will be matched by Union County, tree for tree, complete with installation by forestry professionals with a one-year maintenance guarantee. Greening Union County will help improve the environment of this County through lowering air pollution, improving the air that we breathe, lowering energy costs and improving the overall quality of life; and

WHEREAS, each municipality will be responsible for payment to the successful vendor for their municipality's tree planting program in full. If the municipality participates in the County cooperative bid, the County will reimburse the municipality 50% of the total cost of the purchase of trees. Proof of payment and contract is required for reimbursement; and

WHEREAS, with anticipated grant funds, the City of Elizabeth will purchase trees to be placed throughout the City; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to apply, accept and sign all appropriate documents for the Greening Union County Program Grant for an amount not to exceed \$20,000.00 for the reasons stated hereinabove.

Councilman Keenan stated that the residents will be very happy.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Grova~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - ~~8~~ 8

NEGATIVE: None

The regular order of business was then resumed.

By City Council as a Whole:

Resolved, that the following transfers be made in the FY2010 Municipal Budget appropriations:

Account	Type	Description	Amount
		Transfers To:	
26-310-BLD-308	Operating Expenses	Public Buildings	50,000.00
31-435	Operating Expenses	Street Lighting	150,000.00
23-225	Operating Expenses	Unemployment Insurance	75,000.00
31-430	Operating Expenses	Electricity Expense	50,000.00
		TOTAL	325,000.00
		Transfers From:	
25-240-POL-100	Salaries & Wages	Police Department	325,000.00
		TOTAL	325,000.00

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus,
 Gonzalez, Keenan, Cedeno, Gallman, Mazza,
 and President Cuesta - ~~8~~ 8

NEGATIVE: None

ELIZABETH AVENUE SPECIAL IMPROVEMENT DISTRICT BUDGET NOTICE

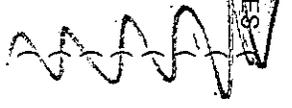
Elizabeth Avenue Special Improvement District of the City of Elizabeth, County of Union, for the Fiscal Year 2011.

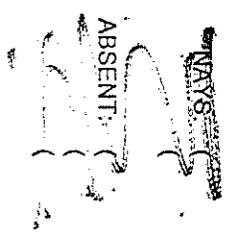
BE IT RESOLVED that the following statements of revenue and appropriations shall constitute the Elizabeth Avenue Special Improvement District Budget for the Fiscal Year 2011.

BE IT FURTHER RESOLVED that said Budget be published in The Star-Ledger in the issue of August 13, 2010.

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

~~Recorded/voter:~~

~~AYES:~~


~~NAYS:~~
~~ABSENT:~~


Notice is hereby given that the Elizabeth Avenue Special Improvement District Budget was approved by the City Council of the City of Elizabeth, County of Union, on July 27, 2010.

A hearing on said budget will be held at Elizabeth City Hall on August 24, 2010, at 7:30 P.M. at which time and place objections to said Budget for the Fiscal Year 2011 may be presented by Elizabeth Avenue Special Improvement District taxpayers or other interested persons.

<u>REVENUES</u>		<u>APPROPRIATIONS</u>	
Private Sponsor	\$26,750.00	Promotions	\$222,092.00
UEZ	\$222,750.00	Safety & Security	\$52,916.00
Amount to be Raised by Special Improvement District Surplus Utilized	\$220,000.00	Administration	\$194,492.00
Total Revenues	<u>\$469,500.00</u>	Total Appropriations	<u>\$469,500.00</u>

Which was adopted by the following vote:

- AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Casta~~
 Gonzalez, Keenan, Cedeno, Gallman, Mazza,
 and President Cuesta - ~~X~~ 8
- NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Mayor has appointed, Candido Rodriguez, Jr., Esq. and Diene Hernandez-Rodriguez, Esq., of the firm of Candido Rodriguez, Jr., Diene Hernandez-Rodriguez, LLC, Attorneys at Law, 442 Westfield Avenue, First Floor, Elizabeth, New Jersey 07208, and Chanima K. Odoms, Esq., 1812 Front Street, Scotch Plains, New Jersey 07076; and Deirdre M. Mason, Esq., 1812 Front Street, Scotch Plains, New Jersey 07076, Celeste Dudley-Smith, Esq., 1185 Morris Avenue, Suite 103, Union, New Jersey 07083, and Nuno Afonso, Esq., 1235 Morris Avenue, Union, New Jersey 07083, Paul Femia, Esq., Law Office of Paul Femia, 511 Westminster Avenue, Elizabeth, New Jersey 07208, and Lindal Scott Foster, Esq., Scott Foster, LLC, 1139 East Jersey Street, Suite 401, Elizabeth, New Jersey 07201 and appoint Maria M. Dias, Attorney at Law, 701 Westfield Avenue, Elizabeth, New Jersey 07208 to serve as Municipal Public Defenders for the Municipal Court for the period covering July 1, 2010 to June 30, 2011 at a rate of \$300.00 per session, and Candido Rodriguez, Jr., is designated as the Chief Municipal Public Defender and will receive a stipend of \$5,000.00 a year for serving as same, for a total amount not to exceed \$145,000.00; and

WHEREAS, these appointments/contracts are being made pursuant to a fair and open procedure pursuant to N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, the above appointments were made by the Mayor subject to the confirmation, advise and consent of the City Council; 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 this City incurs a contractual liability on its part; now, therefore, be it ,

RESOLVED that City Council of the City of Elizabeth hereby confirms, advises and consents to the appointed, Candido Rodriguez, Jr., Esq. and Diene Hernandez-Rodriguez, Esq., of the firm of Candido Rodriguez, Jr., Diene Hernandez-Rodriguez, LLC, Attorneys at Law, 442 Westfield Avenue, First Floor, Elizabeth, New Jersey 07208, and Chanima K. Odoms, Esq., 1812 Front Street, Scotch Plains, New Jersey 07076; and Dcirdrc M. Mason, Esq., 1812 Front Street, Scotch Plains, New Jersey 07076, Celeste Dudley-Smith, Esq., 1185 Morris Avenue, Suite 103, Union, New Jersey 07083, and Nuno Afonso, Esq., 1235 Morris Avenue, Union, New Jersey 07083, Paul Femia, Esq., Law Office of Paul Femia, 511 Westminster Avenue, Elizabeth, New Jersey 07208, and Lindal Scott Foster, Esq., Scott Foster, LLC, 1139 East Jersey Street, Suite 401, Elizabeth, New Jersey 07201 and appoint Maria M. Dias, Attorney at Law, 701 Westfield Avenue, Elizabeth, New Jersey 07208 to serve as Municipal Public Defenders for the Municipal Court for the period covering July 1, 2010 to June 30, 2011 at a rate of \$300.00 per session, and Candido Rodriguez, Jr., is designated as the Chief Municipal Public Defender and will receive a stipend of \$5,000.00 a year for serving as same, for a total amount not to exceed \$145,000.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Crowe~~,
 Gonzalez, Keenan, Cedeno, Gallman, Mazza,
 and President Cuesta - **AB**

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended that salaries be established for the period July 1, 2009 through June 30, 2013 for the Municipal City Clerk and the Deputy Municipal Clerk of the City of Elizabeth as set forth on Schedule A attached hereto and made a part hereof and that the Municipal City Clerk and Deputy Municipal Clerk effective July 1, 2010 contribute 1.5% of their salary as of June 30, 2010 toward their Health Benefits now, therefor, be it

RESOLVED, that salaries be established for the period July 1, 2009 through June 30, 2013 for the Municipal City Clerk and the Deputy Municipal Clerk of the City of Elizabeth as set forth on Schedule A attached hereto and made a part hereof and be it

FURTHER RESOLVED, that the Municipal City Clerk and Deputy Municipal Clerk of the City of Elizabeth effective July 1, 2010 are to contribute 1.5% of their salary as of June 30, 2010 toward their Health Benefits for the period July 1, 2010 through June 13, 2013.

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~_____~~
Gonzalez, Keenan, Cedeno, Gailman, Mazza,
and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, each year several municipal agencies in the City of Elizabeth are granted permission by the Elizabeth Board of Education to utilize school facilities; and

WHEREAS, in exchange for this permission, the Elizabeth Board of Education requires the execution of an Indemnification Agreement as well as insurance for the Board of Education; and

WHEREAS, since the City of Elizabeth is self-insured, it cannot furnish the Board of Education with a Certificate of Insurance; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby authorizes the proper City Officials to provide the Elizabeth Board of Education with appropriate assurances that the City's self-insurance program will cover the Elizabeth Board of Education in the following amounts for the utilization of school facilities during Fiscal Year July 1, 2010 to June 30, 2011:

Combined Single Limit	\$	1,000,000.00
Each Occurrence	\$	1,000,000.00
Aggregate	\$	1,000,000.00

FURTHER RESOLVED that the City Council of the City of Elizabeth hereby authorizes the proper City Officials to execute the Indemnification Agreement between the City of Elizabeth and the Elizabeth Board of Education for the use of school facilities for the Fiscal year, July 1, 2010 to June 30, 2011.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Cueva~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services, Office of Youth - S.O.A.R. (Special Opportunities for Achievement & Reawakening) Program utilizes Nicholas Murray Butler School No. 23 to offer academic and recreational activities for the City of Elizabeth youth ages 6-13; and

WHEREAS, a bill presented to the Director of the Department of Health and Human Services for the use of custodial and security services for the after-school program at Nicholas Murray Butler School No. 23 in the amount of Twenty-One Thousand, Four Hundred Seventy-Four Dollars (\$21,474.00) beginning July 6, 2010 and ending on August 13, 2010 ; and

WHEREAS, the Director of the Department of Health and Human Services has requested authorization to pay said bill to the Elizabeth Board of Education; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No 10-10170 charging the amount of \$21,474.00 to Account No. 0-01-27-330-OYS-325 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 Elizabeth authorizes the payment of a bill from the Elizabeth Board of Education, for the use of custodial and security services for the after-school program for youth ages 6-13 at Nicholas Murray Butler School No. 23 in the amount of Twenty-One Thousand, Four Hundred Seventy-Four Dollars (\$21,474.00) beginning July 6, 2010 and ending on August 13, 2010.

Councilman Jackus stated that he will support this expenditure for the S.O.A.R. Program, but if you look at the ordinance to increase fees there is no charge to residents and the Board of Education. He continued that the Board of Education charges the City for custodial and security and yet they fail to realize that they are charging the taxpayers \$21,000.00.

Which was carried by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Ortiz~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - **A. B**

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, in accordance with NJAC 5:34 it is required that the award of any contract pursuant to NJSA 40A:11-12 be awarded by resolution of the Governing Body; and

WHEREAS, the Business Administrator and the Purchasing Agent per the request of the Director of the Fire Department have recommended an award of a contract be made to **GEN-EL SAFETY & INDUSTRIAL PRODUCTS, 961 Route 10 East, Suite 2M, Randolph, New Jersey 07869** for Monitors and Accessories, for the period of June 11, 2010 through November 30, 2010 at a cost not to exceed \$40,000.00 under state contract #A68566; 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 this City incurs a contractual liability on its part; now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract be made to **GEN-EL SAFETY & INDUSTRIAL PRODUCTS, 961 Route 10 East, Suite 2M, Randolph, New Jersey 07869** for Monitors and Accessories, for the period of June 11, 2010 through November 30, 2010 at a cost not to exceed \$40,000.00 under state contract #A68566.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Costa~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 18

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that the Purchasing Agent in accordance with emergency purchases and contracts section (40A:11-6) of the Local Public Contracts Law, that the Fire Director, certified that an emergency existed on June 9, 2010 affecting the public health and safety requiring immediate purchase of Fire Pump Assembly Repair Parts for Fire Pumper #10; and

WHEREAS, the Business Administrator, Purchasing Agent and Director of the Fire Department have requested authorization for the emergency purchase of Fire Pump Assembly Repair Parts for Fire Pumper #10 for the Fire Department from CAMPBELL SUPPLY, 145 Talmadge Road, Suite 8, Edison, New Jersey 08817 in the amount of \$7,000.00. The labor will be done in house; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 10-10048, charging the amount of \$7,000.00 to Account No. 0-01-25-265-FIR-362, 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 Elizabeth authorizes the emergency purchase of Fire Pump Assembly Repair Parts for Fire Pumper #10 for the Fire Department from CAMPBELL SUPPLY, 145 Talmadge Road, Suite 8, Edison, New Jersey 08817 in the amount of \$7,000.00. The labor will be done in house.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Grova~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, in accordance with NJAC 5:34 it is required that the award of any contract pursuant to NJSA 40A:11-12 be awarded by resolution of the Governing Body; and

WHEREAS, the Business Administrator and the Purchasing Agent per the request of the Director of the Fire Department have recommended an award of a contract be made to **GEN-EL SAFETY & INDUSTRIAL PRODUCTS, 961 Route 10 East, Suite 2M, Randolph, New Jersey 07869** for Pelican Lights and Storage Cases, for the period of June 11, 2010 through April 30, 2011 at a cost not to exceed \$40,000.00 under state contract #A76129; 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 this City incurs a contractual liability on its part; now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract be made to **GEN-EL SAFETY & INDUSTRIAL PRODUCTS, 961 Route 10 East, Suite 2M, Randolph, New Jersey 07869** for Pelican Lights and Storage Cases, for the period of June 11, 2010 through April 30, 2011 at a cost not to exceed \$40,000.00 under state contract #A76129.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Greene~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended that a contract be awarded to WILLIAM H. MALONE, P. O. Box 586, Paramus, New Jersey 07653 to provide technical assistance to the City of Elizabeth in management of its insurance programs for the period July 1, 2010 through June 30, 2011 at a total cost of \$25,000.00; and

WHEREAS, Mr. Malone is a resident of Elizabeth, New Jersey and has more than thirty (30) years of specialized expertise in insurance; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00284 charging the amount of \$25,000.00 to Account No. 11-01-23-210-INS of the Municipal Budget is on file in the Office of the City Clerk; 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 "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

WHEREAS, the Business Administrator has certified that this meets the statute and regulations governing the award of said contract; 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 a contract with WILLIAM H. MALONE, P. O. Box 586, Paramus, New Jersey 07653 to provide technical assistance to the City of Elizabeth in management of its insurance programs for the period July 1, 2010 through June 30, 2011 at a total cost of \$25,000.00.
2. Recommendation is based on the thirty (30) years of experience in specialized insurance enjoyed by William H. Malone, who is a City of Elizabeth resident.
3. The services available from William H. Malone includes all aspects of risk management necessary to determine whether a client's assets are properly protected and at the lowest possible cost.
4. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Malone~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to execute a contract with Kean University, 1000 Morris Avenue, Union, New Jersey 07083 for computer consulting services for a one year period commencing July 1, 2010 to June 30, 2011 at a cost not to exceed \$50,500.00; and

WHEREAS, Kean University will provide the following data processing and telecommunication technical service:

1. Design and integration of the complete implementation of the Geographic Information System, design and implementation of a fully integrated public safety (EPIC) human resources/payroll system completing design interfaces of the financial system, preliminary design of a payroll system, implementing the design of an emergency response system and design specifications for tax collection and related assessment systems.
2. Office automation needs assessment and program implementation for all Departments. Support for standard applications in word processing spreadsheet and database management.
3. Designing new information subsystems as needed, redesign of existing systems, operation system, and major application upgrade and training of DP staff to implement new designs and maintain the state-of-the-art concurrency of all subsystems. Technical assistance in developing system procedures and application and training documentation for better utilization of system resources. Design on special management reports and reconfigurations as may be needed to reorganize and realignment.
4. Development of hardware, software, telecommunication and system specification, generating bid specifications on above and maintenance contract and review of bid specification for acquisition of upgrades and additional data processing equipment and providing recommendations.
5. Technical assistance in designing networking and telecommunication for data transmission to local cluster and local area City-owned networks; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00281 charging the amount of \$50,500.00 to Account No. 11-01-20-100-ADM-302 of the Municipal Budget is on file in the Office of the City Clerk; 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 "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, this contract is exempt from the requirements of Chapter 2.92 of the Code of the City of Elizabeth as it is a contract with a state body, agency or authority; and

WHEREAS, the Business Administrator has certified that this meets the statute and regulations governing the award of said contract; 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 a contract with **Kean University, 1000 Morris Avenue, Union, New Jersey 07083** for computer consulting services for a one year period commencing July 1, 2010 to June 30, 2011 at a cost not to exceed \$50,500.00 based on the Universities specialized expertise in data processing and technical telecommunication field qualifying them to perform the requested services.
2. The services to be performed by Kean University are of such a technical nature as to make a description of all actions to be taken unfeasible.
3. This cannot be described by written specifications because of the special nature of the service to be provided.
4. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~...~~
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for the services of a physician for the Elizabeth Police Department; and

WHEREAS, the Business Administrator and the Police Director have recommended that a contract be awarded to **Dr. Michael R. Zaboski, 240 Williamson Street, Suite 204, Elizabeth, New Jersey 07202** to provide the professional services of a physician for the Elizabeth Police Department for a period of one year commencing July 1, 2010 through June 30, 2011 for a total fee of \$18,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00283 charging the amount of \$18,000.00 to Account No. 11-01-25-240-POL-302, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) 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 inspection; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

WHEREAS, the services are being performed by a physician operating under Medical License MA 55077 of the State of New Jersey; now, therefore, be it

RESOLVED by City Council of Elizabeth as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **Dr. Michael R. Zaboski, 240 Williamson Street, Suite 204, Elizabeth, New Jersey 07202** to provide the professional services of a physician for the Elizabeth Police Department for a period of one year commencing July 1, 2010 through June 30, 2011 at a total fee of \$18,000.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because these services are being performed by a physician operating under Medical License MA55077 State of New Jersey.
3. Also, the performance of these services requires 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 printed once in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - ~~A~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to provide a HMO Dental Insurance Program to provide coverage without limit and deductible for employees of the City of Elizabeth; and

WHEREAS, the Business Administrator has requested authorization to award a contract for the HMO Dental Insurance Program option awarded to **International Healthcare Services, Inc., c/o Dimensional Management, 1030 St. George Avenue, Avenel, New Jersey 07011**, for the period July 1, 2010 through June 30, 2013 for an amount not to exceed \$245,000.00 for the three (3) -year contract period; and

WHEREAS, there has been an increase in rates over the previous contract year as noted in the comparison below:

<u>Monthly Charge</u>	<u>Present Rate</u>	<u>New Renewal Rate</u>
Super Composite	\$60.64	\$ 64.26
 <u>COBRA</u>		
Single	\$24.68	\$ 26.16
Family	\$73.54	\$ 77.86

Total funds to be expended during the three (3) year term of the contract shall not exceed \$245,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for the first year of the contract and Certification No. 11-00086, charging the amount of \$65,000.00 to Account No. 1-02-23-220-002-DEN, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Chief Financial Officer will issue a Certificate of Availability of Funds for the second and third year of the contract prior to commencement thereof and the second and third year of the contract is explicitly conditioned upon the issuance of same by the Chief Financial Officer; 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 "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, insurance companies are exempt from the provisions of Chapter 2.92.of the code of the City of Elizabeth; and

WHEREAS, quotations were not solicited for this contract because it was determined that Healthplex, Inc., was the most qualified firm and is presently providing HMO dental services to the City of Elizabeth; and

WHEREAS, the Business Administrator has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be it

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement with International Healthcare Services, Inc., c/o Dimensional Management, 1030 St. George Avenue, Avenel, New Jersey 07011, for the period July 1, 2010 through June 30, 2013 for an amount not to exceed \$245,000.00 for the three (3)-year contract period subject to the condition setforth hereinabove.
2. Quotations were not solicited for this contract because it was determined that the above company was the most qualified firm and is presently providing dental services in the City of Elizabeth. The recommendation to award the contract to International Healthcare Services, Inc., c/o Dimensional Management is made because the provider offers a continuation of the present dental coverage.
3. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance Banking, in order to qualify to do business within this State. N.J.S.A. 40A:11-5(1)(m) exempts the purchase of insurance coverage for advertising for bids and bidding, which exception shall be in accordance with the requirements for Extraordinary, Unspecifiable Service.
4. This cannot be described by written specifications because of the special nature of insurance coverage as described in paragraph (3) and as specifically exempted from the bidding requirements of N.J.S.A. 40A:11-5(m).
5. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Cuesta~~,
 Gonzalez, Keenan, Ceden, Gallman, Mazza,
 and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, Purchasing Agent, and the Director of the Director of Public Works have received a request form the State of New Jersey Department of Environmental Protection, Division of Fish and Wildlife, P. O. Box 400, Trenton, New Jersey 08625-0400 to enter into a contract with the State of New Jersey to provide gasoline to the Department of Environmental Protection, Division of Fish and Wildlife, which will be billed in accordance with the requirements of the Department of Public Works; and

WHEREAS, the Business Administrator and the Director of the Department of Public Works have requested to enter into a contract with the State of New Jersey to provide gasoline to the New Jersey Department of Environmental Protection Division of Wildlife, which will be billed in accordance with the requirements of the Public Works Department; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into a contract with the State of New Jersey, Department of Environmental Protection, Division of Fish and Wildlife, P. O. Box 400, Trenton, New Jersey 08625-0400 to provide gasoline to the Department of Environmental Protection, Division of Fish and Wildlife which will be billed in accordance with the requirements of the Department of Public Works.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Crowe~~, Gonzalez, Keenan, Ceden, Gallman, Mazza, and President Cuesta - 18

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, in accordance with NJAC 5:34 it is required that the award of any contract pursuant to NJSA 40A:11-12 be awarded by resolution of the Governing Body; and

WHEREAS, the Business Administrator and the Purchasing Agent have recommended an award of a contract be made to **BEN SHAFFER & ASSOCIATES, INC., P. O. BOX 844, Lake Hopatcong, New Jersey** for Park and Playground Equipment for the Recreation and Public Works Departments for the period of July 1, 2010 through February 28, 2011 at a cost not to exceed \$30,000.00 under state contract #A59054; 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 this City incurs a contractual liability on its part; now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **BEN SHAFFER & ASSOCIATES, INC., P. O. BOX 844, Lake Hopatcong, New Jersey** for Park and Playground Equipment for the Recreation and Public Works Departments for the period of July 1, 2010 through February 28, 2011 at a cost not to exceed \$30,000.00 under state contract #A59054.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - **A 8**

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 **National Fuel Oil, Inc., 175 Orange Street, Newark, New Jersey 07103** for the purchase of Gasoline for the Public Works Marina for the period July 1, 2010 through March 31, 2011 at a cost not to exceed \$90,000.00 under state contract #65042;and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through State of New Jersey Contract #65042 requiring approval by this Governing Body in accordance with the provisions of N.J.A.C. 5:34-1.2; and

WHEREAS, State Contracts are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; 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 this City incurs a contractual liability on its part; now, therefore, be it,

RESOLVED by City Council of the City of Elizabeth that a contract be awarded to **National Fuel Oil, Inc., 175 Orange Street, Newark, New Jersey 07103** for the purchase of Gasoline for the Public Works Marina for the period July 1, 2010 through March 31, 2011 at a cost not to exceed \$90,000.00 under state contract #65042.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Cueva~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended the award of a contract be made to **MIDWEST EMPLOYERS CASUALTY COMPANY**, (through **Regional Risk Managers, LLC**, agent-of-record), **13801 Riverport Drive, St. Louis, MO. 63043**, to obtain Excess Insurance on Worker's Compensation Coverage for the period July 1, 2010 to June 30, 2011 at a cost of \$162,071.00; and

WHEREAS, this policy of insurance will be processed through **Regional Risk Managers, LLC**, agent-of-record; and

WHEREAS, the Business Administrator has advised that this request is being made with the full concurrence of the members of the Insurance Fund Commission; and

WHEREAS, the Chief financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00287 charging the amount of \$162,071.00 to Account No. 11-01-23-210-INS of the Municipal Budget, is on file in the Office of the City Clerk; and

WHEREAS, insurance companies 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 "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Business Administrator has certified that this meets the statute and regulations governing the award of said contract; 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 **MIDWEST EMPLOYERS CASUALTY COMPANY**, (through **R.A.M. Agency, agent-of-record**), **13801 Riverport Drive, St. Louis, MO. 63043**, to obtain Excess Insurance on Worker's Compensation Coverage for the period July 1, 2010 to June 30, 2011 at a cost of \$162,071.00. This policy of insurance will be processed through **Regional Risk Managers, LLC agent-of-record**.
2. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of new Jersey, through the Department of Insurance and Banking in order to qualify to do business within this State. New Jersey Statute 40A:11-5(m) exempts the purchasing of insurance converge from advertising for bids and bidding, which exception shall be in accordance with the requirements for Extraordinary, Unspecifiable Service.
3. This cannot be described by written specifications because of the unique nature of the service to be rendered as more fully explained in paragraph (2) above.
4. A notice of this action shall be published in **The Star Ledger**.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Grove~~, Gonzalez, Keenan, Ceden, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent and the Supervisor of Data Processing Operation have made a request to award a contract to ARCHONIX SYSTEMS, 17000 Commerce Parkway, Suite C, Mount Laurel, New Jersey 08054 the sole vendor, to provide for the maintenance and annual license for software for the Police System in the amount of \$69,921.00 for the period of one year; and

WHEREAS, this item is exempt from bidding pursuant to the provision of N.J.S.A. 40A:11-5.1 (dd); 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 ARCHONIX SYSTEMS; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., this contract was solicited and is being awarded pursuant to a fair and open procedure; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.11-00002 charging the amount of \$40,901.00 to Account No. 1-01-20-140-DPR-307, Certification No. 11-00001 charging the amount of \$29,020.00 to Account No. 1-01-25-240-POL-307 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 Elizabeth authorizes the award of a contract be made to ARCHONIX SYSTEMS, 17000 Commerce Parkway, Suite C, Mount Laurel, New Jersey 08054, the sole vendor to provide for the maintenance and annual license for software for the Police System in the amount of \$69,921.00 for the period of one year.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, [redacted], Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent in accordance with NJAC 5:34 it is required that the award of any contract pursuant to NJSA 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 advised that the Purchasing Agent and has made a request to participate in the **New Jersey Sustainable Energy Joint Meeting** for the award of a contract to **HESS CORPORATION, One Hess Plaza, Woodbridge, New Jersey 07095** for the purchase of electricity, through the **New Jersey Sustainable Joint Meeting** for the period of July 1, 2010 through May 31, 2011 at a rate of 11% below basic generation service on electricity; 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 this City incurs a contractual liability on its part; now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract for the purchase of Electricity through the **New Jersey Sustainable Energy Joint Meeting** to **HESS CORPORATION, One Hess Plaza, Woodbridge, New Jersey 07095** for the period of July 1, 2010 through May 31, 2011 at a rate of 11% below basic generation service on electricity.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - **48**

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, in accordance with **NJAC 5:34** it is requested that the award of any contract pursuant to **NJSA 40A:11-5 (2)** (exception to bidding) be awarded by resolution; and

WHEREAS, the Business Administrator and the Purchasing Agent and the Director of the Police Department have made a request to award a contract to **MAFFEY'S LOCK & SAFE COMPANY, INC., 1172 East Grand Street, Elizabeth, New Jersey 07208** under the Union County Cooperative Purchasing Contract #CK-06 UNION BA 51-2010 at a cost not to exceed \$400,000.00 for the period June 7, 2010 through June 6, 2012; and

WHEREAS, the provisions of Chapter 2.92 shall not apply to all contracts entered into with the United States of America, State of New Jersey, County or municipality, or any board, body, officer, agency or authority thereof, and any other state or subdivision thereof; 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

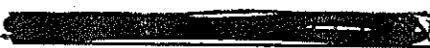
WHEREAS, the Chief Financial Officer shall execute the Certificate of Availability of Funds at each time an order is placed, and covering the amount of the order, and said execution is to be made just before this City incurs a contractual liability on its part; now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract be made to **MAFFEY'S LOCK & SAFE COMPANY, INC., 1172 East Grand Street, Elizabeth, New Jersey 07208** under the Union County Cooperative Purchasing Contract #CK-06 UNION BA 51-2010 at a cost not to exceed \$400,000.00 for the period June 7, 2010 through June 6, 2012.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - **A B**

NEGATIVE: None



BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for Labor and Employment Counsel to provide legal services to the City of Elizabeth in connection with the bargaining units recognized by the City Council of the City of Elizabeth; and

WHEREAS, the Business Administrator with the concurrence of the City Attorney has requested authorization to enter into a contract with GENOVA, BURNS & GIANTOMASI, Attorneys at Law, 494 Broad Street, Newark, New Jersey 07102-3230 for the purpose of providing legal services as Labor and Employment Counsel to the City of Elizabeth with bargaining units recognized by the City Council of the City of Elizabeth for the period of July 1, 2009 through June 30, 2010, at the rate of \$175.00 per hour for attorneys, \$75.00 per hour for paralegals, and \$25.00 per hour for secretarial overtime at a cost not to exceed \$95,000.00; 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 inspection; and

WHEREAS, this contract is being awarded pursuant to the fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20-5 et seq.; 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 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 this City incurs a contractual liability on its part; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized and directed to execute a contract with the firm of GENOVA, BURNS & GIANTOMASI, Attorneys at Law, 494 Broad Street, Newark, New Jersey 07102-3230, for the purpose of providing legal services as Labor and Employment Counsel with bargaining units recognized by the City Council of the City of Elizabeth for the period of July 1, 2009 through June 30, 2010 at the rate of \$175.00 per hour for attorneys, \$75.00 per hour for paralegals and \$25.00 per hour for secretarial overtime, if authorized by the City Attorney at a cost not to exceed \$95,000.00 without the express approval of City Council of the City of Elizabeth.
2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:5-11 exempts from bidding professional services, and the services rendered are to be performed by a person authorized by Law to practice a recognized profession and whose profession is regulated by law and which requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.
3. That the within authority is limited to a total of \$95,000.00 at the hourly rate of \$175.00 without the further approval of City Council.
4. A notice of this action shall be printed once in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Novak~~, Gonzalez, Keenan, Cedeno, Galliman, Mazza, and President Cuesta - 8 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for the appointment of attorneys to represent this City in the defense of Worker's Compensation cases and matters included within the City's partial self-insurance program for the fiscal year July 1, 2010 to June 30, 2011; 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 inspection; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

WHEREAS, the City Attorney has recommended an award be made in this matter to the law firm listed below; 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 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 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 this City incurs a contractual liability on its part; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the law firm listed below is hereby authorized to act as defense counsel for the City of Elizabeth in matters referenced hereinabove under the following terms and conditions:

LaCorte, Bundy, Varady & Kinsella Esqs.
989 Bonnel Court
Union, New Jersey 07083

- a. Formal petitions in Workers' Compensation at a rate of \$175.00 per hour for each petition which includes attendance at all hearings, negotiations, trials, appeals, etc., together with reasonable expenses.
- b. At a rate of 15% of recovery of liens involving third party actions.
- c. All of the foregoing costs and expenses are not to exceed \$150,000.00, except as specifically authorized by resolution of this Governing body; and be it

FURTHER RESOLVED that the Purchasing Agent is hereby authorized to place sufficient orders in connection therewith, subject to the requirements of the Local Public Contracts Law and guidelines promulgated thereunder; and be it

FURTHER RESOLVED that this contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(A) of the Local Public Contracts Law because the contractors are Attorneys-At-Law of the State of New Jersey and licensed to practice therein; and

FURTHER RESOLVED that a notice of this action shall be printed once in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Crowe~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

51

WHEREAS, there exists a need for the appointment of attorneys to represent this City in the defense of Civil Litigation in auto/general liability cases and matters included within the City's self-insurance program for the fiscal year July 1, 2010 to June 30, 2011; 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 inspection; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

WHEREAS, the City Attorney has recommended an award be made in this matter to the law firm listed below; 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 Services; 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 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 this City incurs a contractual liability on its part; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the law firm listed below is hereby authorized to act as counsel for the City of Elizabeth in matters referenced hereinabove under the following terms and conditions:

LaCorte, Bundy, Varady & Kinsella Esqs.
989 Bonnel Court
Union, New Jersey 07083

- a. Civil Court Litigation at a rate of \$175.00 per hour in the Trial and Appellate court. This includes all legal work necessary, but does not include reasonable expenses which are to be paid in addition to these amounts. Expenses are to include filing fees, expert witness fees, overnight mail, parking and tolls. Postage and regular photocopying are to be accounted for in the hourly rate of \$175.00.
- b. Legal work required to defend against late notice of claim motions and for other miscellaneous matters shall be compensated at \$175.00 per hour together with reasonable expenses.
- c. Subrogation claims to recover property damage losses shall be paid on the basis of 25% of the amount of recovery, plus reasonable expenses.
- d. All of the foregoing costs and expenses are not to exceed \$450,000.00, except as specifically authorized by resolution of this Governing body; and be it

FURTHER RESOLVED that the Purchasing Agent is hereby authorized to place sufficient orders in connection therewith, subject to the requirements of the Local Public Contracts Law and guidelines promulgated thereunder; and be it

FURTHER RESOLVED that this contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(A) of the Local Public Contracts Law because the contractors are Attorneys-At-Law of the State of New Jersey and licensed to practice therein; and

FURTHER RESOLVED that a notice of this action shall be printed once in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta 

NEGATIVE:

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to retain legal counsel for representation of the City in tort litigation in situations where the law firm of LaCorte, Bundy, Varady & Kinsella, Esqs., 989 Bonnel Court, Union, New Jersey, has conflicts of interest; 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 inspection; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

WHEREAS, the Law Department has recommended an award be made in this matter to the following attorneys for the period of July 1, 2010 to June 30, 2011:

Kologi • Simitz
Counsellors at Law
Edward J. Kologi
Michael S. Simitz
923 North Wood Avenue
Linden, New Jersey 07036

Robert F. Renaud, Esq.
PALUMBO & RENAUD
Attorneys at Law
190 North Avenue East
Cranford, New Jersey 07016

Daniel Antonelli, Esq.
DANIEL ANTONELLI, L.L.C.
2004 Morris Avenue
Union, New Jersey 07083

Peter H. Spaeth
Wolff, Helies, Duggan, Spaeth & Lucas
Counsellors at Law
Valley Park Professional Center
2517 Highway 35
Building K, Suites 201 & 202
Manasquan, New Jersey 08736-1994

Guy P. Ryan, Esq.
Secare, Delanoy, Martino & Ryan
16 Madison Avenue
Building 1
Toms River, New Jersey 08753

Kraig M. Dowd, Esq.
Weber Dowd Law, LLC
365 Rifle Camp Road
West Paterson, New Jersey 07024

~~Honorable Members of City Council~~~~July 9, 2010~~

Allan C. Roth
Roth Horowitz, LLC
Counsellors at Law
150 Morris Avenue
Suite 206
Springfield, New Jersey 07081

Joseph A. Ascione & Janyce M. Wilson
ASCIONE & WILSON
226 St. Paul Street
Westfield, New Jersey 07090

Raymond S. Londa
Londa & Londa
277 North Broad Street
Elizabeth, New Jersey 07208

Edwin R. Matthews
Bourne, Knoll & Kenyon
382 Springfield Avenue
Box 690
Summit, New Jersey 07902

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 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 this City incurs a contractual liability on its part; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the Mayor and City Clerk are hereby authorized to enter into a contract with the attorneys listed hereinabove, to act as counsel for the City of Elizabeth in tort litigation, where the law firm of LaCorte, Bundy, Varady & Kinsella, Esqs. has conflicts of interest under the following terms and conditions:

- a. Civil Court Litigation at a rate of \$175.00 per hour in the Trial and Appellate court. This includes all legal work necessary, but does not include reasonable expenses which are to be paid in addition to these amounts. Expenses are to include filing fees, expert witness fees, overnight mail, parking and tolls. Postage and regular photocopying are to be accounted for in the hourly rate of \$175.00.
- b. Legal work required to defend against late notice of claim motions and for other miscellaneous matters shall be compensated at \$175.00 per hour together with reasonable expenses.
- c. Subrogation claims to recover property damage losses shall be paid on the basis of 25% of the amount of recovery, plus reasonable expenses.
- d. All of the foregoing costs and expenses are not to exceed \$65,000.00, for each attorney except as specifically authorized by resolution of this Governing body; and be it

[REDACTED]

FURTHER RESOLVED that the Purchasing Agent is hereby authorized to place sufficient orders in connection therewith, subject to the requirements of the Local Public Contracts Law and guidelines promulgated thereunder; and be it

FURTHER RESOLVED that this contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(A) of the Local Public Contracts Law because the contractor is an Attorney-At-Law of the State of New Jersey and licensed to practice herein; and be it

FURTHER RESOLVED that a notice of this action shall be printed once in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, [REDACTED]
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to provide legal services in connection with the Elizabeth Midtown Redevelopment Project; 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 inspection; 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 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 this City incurs a contractual liability on its part; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., this contract was solicited and is being awarded pursuant to a fair and open procedure; and

WHEREAS, the Law Department has recommended the award of this contract to **Ascione & Wilson Attorneys at Law, 226 St. Paul Street, Westfield, New Jersey**; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized and directed to execute a contract with **ASCIONE & WILSON, Attorneys at Law, 226 St. Paul Street, Westfield, New Jersey 07090**, for the purpose of rendering legal services in conjunction with the Midtown Redevelopment Project for the period July 1, 2010 through June 30, 2011 at the rate of \$175.00 per hour at for an amount not to exceed \$90,000.00 without further authorization by your Honorable Body.

2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:5-11 exempts from bidding professional services, and the services rendered are to be performed by a person authorized by law to practice a recognized profession and whose profession is regulated by law and which requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction; 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, Jackus, ,
Gonzalez, Keenan, Ceden, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

57

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City of Elizabeth is desirous of engaging **Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Suite 206, Marlton, New Jersey 08053** to provide Financial Advisory Services to the City of Elizabeth in connection with the City's issuance of debt obligations through the New Jersey Environmental Infrastructure Trust and any other related financial analysis deemed necessary (collectively, the "Financial Advisory Services") for the period July 1, 2010 to June 30, 2011; and

WHEREAS, the Chief Financial Officer has recommended that a contract be awarded to **Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Suite 206, Marlton, New Jersey 08053** for this purpose in an amount not to exceed \$40,000.00; and

WHEREAS, the scope of services provided will be in accordance with Schedule 1 attached hereto and made a part hereof; and

WHEREAS, compensation will be in accordance with Schedule 2 attached hereto and made a part hereof; and

WHEREAS, this contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et seq.; 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 this order, and said execution is to be made just before this City incurs a contractual liability on its part; 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 inspection; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth that a contract be awarded to **Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Suite 206, Marlton, New Jersey 08053** to provide the services set forth in Schedule 1 and in accordance with the compensation set forth in Schedule 2; and be it

Further Resolved that 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 Acacia Financial Group, Inc. is an entity whose practice is authorized and regulated by law and exempted by the provisions of the Local Public Contracts Law, and

Further Resolved that a Notice of this action should be printed once in the Star Ledger.

Schedule 1
Scope of Services

Scope of Services:

Acacia Financial Group, Inc., will provide financial advisory services in connection with the City of Elizabeth's participation in the NJEIT program. Our services will include:

- Preparation of the Financial Addendum and Local Finance Board application.
- Review of all legal documents required to participate in the NJEIT program.
- Attend meetings with City, its staff and professionals as requested.
- Represent City at meeting of Local Finance Board, if required.
- Prepare any analysis needed in connection with the NJEIT financing.
- Assist in any other matters as requested in connection with the NJEIT financing.

Schedule 2
Fee Schedule

Fees:

Acacia Financial Group, Inc., will charge a the following;

1. Based on Par Amount of the Issue:

Par Amount (bonds/notes)

\$0-\$15,000,000 issued	\$15,000
Over \$15,000,000	\$1.10 per \$1,000 issued

2. Hourly Basis:

For services engagements compensation will be based upon hourly rates;

Co-President	\$250 per hour
Managing Director	\$225 per hour
Vice President	\$200 per hour
Assistant VP	\$175 per hour
Analyst	\$150 per hour
Administrative	\$50 per hour

3. Reasonable out of pocket expenses incurred including graphics, postage, photocopies, telecopies, freight charges, and telephone. AFG will not request reimbursement for travel expenses.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Carter~~
Gonzalez, Keenan, Ceden, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to retain the professional services of an attorney to serve as the Tax Appeal attorney for the Fiscal Year July 1, 2010 through June 30, 2011 in the Tax Court and before the Union County Board of Taxation; and

WHEREAS, the City Attorney has recommended the award of this contract be made to Blau & Blau, Attorneys at Law, 55 Morris Avenue, Springfield, New Jersey 07081 at an annual fee of \$125,000 plus reasonable expenses actually incurred to be paid on a monthly basis; 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 must be publicly advertised and the contract itself must be available for public inspection; and

WHEREAS, this contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00077 charging \$125,000 to Account No. 1-0120-150-ASE-302 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 2.92.010 of the Code of the City of Elizabeth; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with Blau & Blau, Attorneys at Law, 55 Morris Avenue, Springfield, New Jersey 07081 to provide the City of Elizabeth with legal services in conjunction with tax appeal cases for the period July 1, 2010 through June 30, 2011 at a cost not to exceed \$125,000.
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 Blau & Blau, Attorneys-At-Law of the State of New Jersey and is a person whose practice is authorized and regulated by law and is exempted by the provisions of the Local Public Contracts Law.
3. A notice of this action shall be printed once in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~_____~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - ~~X~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Chief Financial Officer has requested that the award of a contract be made to DECOTIIS, FITZPATRICK, COLE & WISLER, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666 as Bond Counsel for the City of Elizabeth for the purpose of providing bond counsel services in connection with preparation of ordinances, bond and note sales and related services and that an appropriate contract be executed by the proper City Officials for a one (1) year period effective July 1, 2010 through June 30, 2011, at a cost pursuant to a fee schedule as follows:

A. For services rendered or in connection with each bond sale, a fee of \$4,500.00 plus \$1.10 per thousand dollars of bonds issued.

B. For services rendered in connection with the preparation or review of each ordinance and the compiling of a certified record of proceedings in connection therewith, a fee of \$500.00 for each single purpose ordinance and \$675.00 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of the ordinary, there will be additional fees to be charged at the hourly rates of \$175.00 for partners and up to \$120.00 for paralegals. The fees for services in connection with the ordinances will be charged periodically during the course of the year.

C. The fee of any temporary financing involving a private placement and not involving numerous notes, preparation of an Official Statement, complicated arbitrage analysis, investment yield restrictions or attendance at closing, shall be \$.50 per thousand dollars of bond anticipation notes and \$.50 per thousand dollars of tax anticipation notes, with a minimum fee of 1,000.00 for bond anticipation notes or tax anticipation notes.

D. Services rendered beyond the scope of those described above will be billed at the hourly rates of \$175.00 for partners and \$120.00 for paralegals. Such services may include attendance of meetings, extraordinary work involved in the preparation of the Official Statement, attention to any litigation that may occur, complicated arbitrage analysis or applications to the Federal Reserve Bank for investments of bond or notes proceeds in State and Local Government Series federal obligations. If the Bond sale involves the sale of minibonds, the sale of obligations to the United States Department of Agriculture, Rural Development, or an application to the Local Finance Board, such services will be billed at said hourly rates, with a minimum fee of \$1,500.00 and if the bond sale involves participation in a New Jersey Environmental Infrastructure Trust financing, such services will be billed at \$175.00 per hour for partners and \$120.00 for paralegals, with a minimum fee of \$2,500.00. In the event that bond insurance, a letter of credit or similar credit enhancement facility is used in connection with bond issue, an additional fee based on the responsibility assumed and time involved will be charged.

E. In the event of an advance refunding bond issue providing for an escrow agreement

and an investment of the proceeds consistent with the restrictions of the Internal Revenue Code to provide for the payment of a prior issue of bonds, there will be a fee of \$10,000.00 in addition to the fees described herein.

F. In the event that a bond sale is held but all bids are rejected or the sale is canceled, the fee to be charged shall be a reasonable one, based on the services performed.

G. Customary disbursements for postage, telephone, photocopying, travel and out-of-pocket expenses shall be added to the fees referred to in this Agreement.

H. This Agreement shall be for 2011 State Fiscal Year, commencing on the date hereof, unless terminated earlier by written notice from either party to the other party and the total amount of the contract shall not exceed \$60,000.00 without further authorization of the City Council ;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 this order, and said execution is to be made just before this City incurs a contractual liability on its part; 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 inspection; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter Chapter 2.92.010 of the Code of the City of Elizabeth; and

WHEREAS, this contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, the Chief Financial Officer has recommended the award of this contract to the firm of **DECOTIIS, FITZPATRICK, COLE & WISLER, LLP**; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a professional service contract with **DECOTIIS, FITZPATRICK, COLE & WISLER, LLP**, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666 as Bond Counsel for the City of Elizabeth for the purpose of providing bond counsel services in connection with

preparation of ordinances, bond and note sales and related services and that an appropriate contract be executed by the Proper City Officials for a one (1) year period effective July 1, 2010 through June 30, 2011 without further authorization of City Council.

- 2. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:5-11 exempts from bidding professional services, and the services rendered are to be performed by a person authorized by law to practice a recognized profession and whose profession is regulated by law and which requires knowledge of an advanced typed in a field of learning acquired by a prolonged formal course of specialized instruction; distinguished from general academic instruction or apprenticeship and training.
- 3. A notice of action shall be printed in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████,
 Gonzalez, Keenan, Ceden, Gallman, Mazza,
 and President Cuesta - ~~X~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Chief Financial Officer has recommended an award of contract be made to **Louis C. Mai, CPA & Associates, P. O. Box 624, Pompton Plains, New Jersey 07444**, to conduct statutory audits of the City of Elizabeth, General Funds, City of Elizabeth Sewer Utility, City of Elizabeth Other Funds and Single Audit of Federal and State Grants for the fiscal year ending June 30, 2011; and

WHEREAS, the total amount of the contract to be awarded to **Louis C. Mai, CPA & Associates** will not exceed \$205,000.00; and

WHEREAS, this contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00078, charging the amount of \$57,000.00 to Account No.1-01-20-135-001-001, Certification No. 11-00079, charging the amount of \$57,000.00 to Account No.1-01-20-135-002-002, Certification No. 11-00080, charging the amount of \$57,000.00 to Account No.1-01-20-135-003-003, Certification No. 11-00081, charging the amount of \$6,000.00 to Account No.1-01-20-135-004-004, Certification No. 11-00082 charging the amount of \$28,000.00, to Account No.1-07-55-500-SEW-302 of the Municipal Budget are on file in the office of the City Clerk; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92.010 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 contract itself must be available for public inspection; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **Louis C. Mai, CPA & Associates, P. O. Box 624, Pompton Plains, New Jersey 07444** to perform the above described services, at a cost not to exceed \$205,000.00 for the fiscal year ending June 30, 2011 without the express approval of this Governing Body.
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 the **Louis C. Mai, CPA & Associates, P. O. Box 624, Pompton Plains, New Jersey 07444**, Certified Public Accountants, are exempted by the provisions of the Local Public Contracts Law.
3. A notice of this action shall be printed once in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - * 8

NEGATIVE: None

64

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Chief Financial Officer has recommended that a contract be awarded to Stack, Coolahan & Stack, LLC., Real Estate Appraisers and Consultants, 90 Hudson Street, Suite 200, P. O. Box 731, Hoboken, New Jersey 07080 for the retention of an expert real estate appraiser to prepare appraisal valuations and reports, provide testimony and attendance at conferences scheduled by the Court in connection with State Tax Court Appeals, including preparation and research time on each trial day, at a fixed monthly fee of \$6,500.00 for a grand total not to exceed \$78,000.00 without the express approval of this Governing Body for the period of July 1, 2010 to June 30, 2011; and

WHEREAS, Stack, Coolahan & Stack, LLC is able to provide these services which are specialized and qualitative in nature requiring expertise, extensive training, and proven reputation in the filing of tax appraisals and testimony; and will be extremely important to the City at this time, since this firm will provide continuity in tax appeal matters; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92.010 of the Code of the City of Elizabeth; 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, this contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00070 charging the amount of \$78,000.00, to Account No.1-01-20-150-ASE-302 of the Municipal Budget is on file in the Office of the City Clerk; 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 must be publicly advertised; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized and directed to execute an agreement with Stack, Coolahan & Stack, LLC., 90 Hudson Street, Suite 200, P. O. Box 731, Hoboken, New Jersey 07080, at a fixed monthly fee of \$6,500.00 for a grand total not to exceed \$78,000.00 without the express approval of this Governing Body for the period of July 1, 2010 to June 30, 2011; and
2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the extensive educational training and qualifications for real estate appraisers are of a specialized nature and as such are not conducive to the drawing of specifications for the receipt of competitive bids.
3. A copy of this resolution shall be established in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Stewart~~,
 Gonzalez, Keenan, Cedeno, Gallman, Mazza,
 and President Cuesta - ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City of Elizabeth is desirous of engaging Powell Capital Markets, 280 Corporate Center, 3 Becker Farm Road, Roseland, New Jersey 07068-1745 to provide Financial Advisory Services to the City of Elizabeth in connection with the City's issuance of municipal and general sewer debt obligations and any other financial analysis necessary (collectively, the "Financial Advisory Services") for the period July 1, 2010 to June 30, 2011; and

WHEREAS, the Chief Financial Officer has recommended that a contract be awarded to Powell Capital Markets, 280 Corporate Center, 3 Becker Farm Road, Roseland, New Jersey 07068-1745 for this purpose in an amount not to exceed \$40,000.00; and

WHEREAS, the scope of services provided will be in accordance with Schedule 1 attached hereto and made a part hereof; and

WHEREAS, compensation will be in accordance with Schedule 2 attached hereto and made a part hereof; and

WHEREAS, this contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et seq.; 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 this order, and said execution is to be made just before this City incurs a contractual liability on its part; 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 inspection; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth that a contract be awarded to Powell Capital Markets, 280 Corporate Center, 3 Becker Farm Road, Roseland, New Jersey 07068-1745 to provide the services set forth in Schedule 1 and in accordance with the compensation set forth in Schedule 2; and be it

Further Resolved that 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 Powell Financial Markets, Inc. is an entity whose practice is authorized and regulated by law and exempted by the provisions of the Local Public Contracts Law, and

Further Resolved that a Notice of this action should be printed once in the Star Ledger

Schedule 1

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SCOPE OF SERVICES

1. Provide analytical and support services for financial planning efforts. Review timetable and schedule of long-range operating and capital budget financing strategy;
2. Prepare and coordinate applications to the Local Finance Board and any other agencies, if necessary;
3. Assist in development of a credit rating program. Furnish the rating services with all necessary and relevant documentation and information; attend meetings with rating agencies, if necessary;
4. Assist with preparation of presentations to municipal officials;
5. Assist in obtaining credit enhancement (i.e. municipal bond insurance, letters of credit, governmental guarantees, etc.) if determined to be necessary;
6. Assist in the preparation of the preliminary and final official statements prepared in connection with the sale of securities;
7. Advise CITY OF ELIZABETH in regard to an appropriate and advantageous method of selling debt securities (competitive, negotiated, private placement) given existing legal constraints, market conditions and credit factors;
8. Review the terms, conditions and structure of any proposed securities offerings undertaken by the CITY OF ELIZABETH and provide suggestions and modifications where appropriate and necessary to reflect the constraints of current financial policy and fiscal capability;
9. Assist and advise CITY OF ELIZABETH in negotiations with investment banking groups regarding pricing and final terms of any securities offering and make definitive recommendations to CITY OF ELIZABETH regarding any proposed offer to purchase securities issued by the CITY OF ELIZABETH;
10. Provide alternative repayment options based on analysis of the CITY OF Elizabeth's current debt service and projected debt service;

COMPENSATION

a. POWELL CAPITAL MARKETS hourly fees are blended hourly rate of \$185 for the services of the following professional positions:

- Arthur F. Powell, President
- Julie K. Ehlers, Senior Vice President
- James Ness, Managing Director -- Sales, Trading, and Underwriting
- Brenda L. Scotland, Business Development Officer

b. In addition, for services provided that result in the issuance of securities, POWELL CAPITAL MARKETS will bill as follows:

For Securities issued:

<u>Par Amount</u>	<u>Fee</u>
Up to \$5,000,000	\$5,000
\$5,000,000 up to \$30,000,000	\$1.00/Bond or Note
\$30,000,000 and up	\$4,000 plus \$0.85/Bond or Note

c. CITY OF ELIZABETH further agrees to reimburse POWELL CAPITAL MARKETS for the following reasonable out-of-pocket expenses incurred by POWELL CAPITAL MARKETS in providing the services set forth in Schedule 1 upon submission of appropriate invoices which are approved by CITY OF ELIZABETH:

- a. Graphics/Photocopies
- b. Courier Charges
- c. Telephone
- d. Telecopies
- e. Postage

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████
Gonzalez, Keenan, Ceden, Gallman, Mazza,
and President Cuesta ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the 107 First Street Realty Urban Renewal Inc. is in default of its financial agreement with the City of Elizabeth ("the City") and the prevailing tax abatement statute, N.J.S.A. 40A:20-1 et seq. for property located at 105-109 First Street, Elizabeth, New Jersey, since it has failed to perform obligations imposed upon it by the financial agreement with the City and N.J.S.A. 40A:20-1 et seq., the prevailing tax abatement statute; and

WHEREAS, the 107 First Street Realty Urban Renewal Inc. failed to cure all deficiencies by May 1, 2010 in order to avert termination proceedings by the City of said tax abatement property; and

WHEREAS, the Finance Department has recommend that the tax abatement agreement with 107 First Street Realty Urban Renewal Inc be rescinded, that said property be returned to the tax rolls and that the State of New Jersey, Department of Community Affairs, Division of Local Government Services be notified of the default.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Elizabeth (the "Council") that:

- (1) 107 First Street Realty Urban Renewal Inc. is in default of its obligations under the tax abatement for the property located at 105-109 First Street, Elizabeth, New Jersey
- (2) The tax abatement agreement between the City of Elizabeth and 107 First Street Realty Urban Renewal Inc. for property located at 105-109 First Street, Elizabeth, New Jersey is rescinded in accordance with the terms of the financial agreement.
- (3) The property located at 105-109 First Street, Elizabeth, New Jersey be returned to the tax rolls.
- (4) The proper City officials are authorized and directed to notify the State of New Jersey, Department of Community Affairs Division of Local Government Services of 107 First Street Realty Urban Renewal Inc.'s default for appropriate administrative action in accordance with law.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Burnett Urban Renewal Inc. is in default of its financial agreement with the City of Elizabeth ('the City') and the prevailing tax abatement statute, N.J.S.A. 40A:20-1 et seq. for property located at 111-113 First Street, Elizabeth, New Jersey, since it has failed to perform obligations imposed upon it by the financial agreement with the City and N.J.S.A. 40A:20-1 et seq., the prevailing tax abatement statute; and

WHEREAS, the Burnett Urban Renewal Inc failed to cure all deficiencies by May 1, 2010 in order to avert termination proceedings by the City of said tax abatement property; and

WHEREAS, the Finance Department has recommend that the tax abatement agreement with Burnett Urban Renewal Inc be rescinded, that said property be returned to the tax rolls, and that the State of New Jersey, Department of Community Affairs, Division of Local Government Services be notified of the default.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Elizabeth (the "Council") that:

- (1) Burnett Urban Renewal Inc. is in default of its obligations under the tax abatement for the property located at 111-113 First Street, Elizabeth, New Jersey
- (2) The tax abatement agreement between the City of Elizabeth and Burnett Urban Renewal Inc. for property located at 111-113 First Street, Elizabeth, New Jersey is rescinded in accordance with the terms of the financial agreement.
- (3) The property located at 111-113 First Street, Elizabeth, New Jersey be returned to the tax rolls.
- (4) The proper City officials are authorized and directed to notify the State of New Jersey, Department of Community Affairs, Division of Local Government Services of Burnett Urban Renewal Inc.'s default for appropriate administrative action in accordance with law.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - X 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City Officials to authorize an award of a contract with the City of Elizabeth, Bureau of Tourism, Cultural Affairs, 50 Winfield Scott Plaza, Elizabeth, New Jersey, 07201 to provide funds in the amount of \$1,425.00 to partially defray the costs for the Annual 5th Ward Cookout/Health Fair for the period July 1, 2010 to June 30, 2011 to be held on July 10, 2010; and

WHEREAS, funds will be used to partially defray the recreation costs for the Annual 5th Ward Cookout/Health Fair to be held on July 10, 2010; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00157 charging the amount of \$1,425.00 to Account Number T-22-56-010-PBS-189 of the Municipal Budget, is on file in the Office of the City Clerk; and

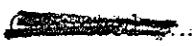
WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Director of the Department of Planning and Community Development has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be it

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

The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the City of Elizabeth, Bureau of Tourism, Cultural Affairs, 50 Winfield Scott Plaza, Elizabeth, New Jersey, 07201 to provide funds in the amount of \$1,425.00 to partially defray the costs for the Annual 5th Ward Cookout/Health Fair for the period July 1, 2010 to June 30, 2011 to be held on July 10, 2010

1. Quotations were not solicited because of the unique nature of the in providing recreational services at value, targeting low-moderate income residents to the City.



2. The nature of the service provided requires experience and extensive training in providing unique and interesting recreational program for low-moderate income youngsters.
3. The performance of this service cannot be reasonably described by written specifications as the contractors have unique and fresh ideas for entertaining youngsters..
4. A notice of this action shall be published in The Star Ledger

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████,
Gonzalez, Keenan, Cedenno, Gallman, Mazza,
and President Cuesta - ✕ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on March 12, 2010 the Office of Planning and Community Development received qualification proposals for environmental consulting 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 Director of the Department of Planning and Community Development Works has requested an award of a contract be made to **The PMK Group, a Birdsall Service Group Business Unit, 65 Jackson Drive, P. O. BOX 5000, Cranford, New Jersey 07016**, to provide the City of Elizabeth with professional environmental consulting engineering services for site investigation, associated reports needed and list investigation for closure services for Grimmauld properties acquisition of 244-246 Harrison Street, 248-252 Harrison Street, 252-254 Union Street, 48-50 Westfield Avenue and 52 Westfield Avenue also known as Tax Account 11-421, 11-422, 11-1710, 11-1773 & 11-1774 of Parcel B in the Midtown Redevelopment Area at a cost not to exceed \$81,800.00; and

WHEREAS, the purpose of the site investigation, associated reports and investigation for underground storage tanks (UST) will be closure services; and

WHEREAS, the request for qualification 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. 40A11-5 (a) (i); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00087 charging the amount of \$81,800.00 to Account No. X-04-55-999-X22-001 of the Municipal Budget is on file in the Office in 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 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 **The PMK Group, a Birdsall Service Group Business Unit, 65 Jackson Drive, P. O. BOX 5000, Cranford, New Jersey 07016**, to provide the City of Elizabeth with professional environmental consulting engineering services for site investigation, associated reports needed and list investigation for closure services for Grimmauld properties acquisition of 244-246 Harrison Street, 248-252 Harrison Street, 252-254 Union Street, 48-50 Westfield Avenue and 52 Westfield Avenue also known as Tax Account 11-421, 11-422, 11-1710, 11-1773 & 11-1774 of Parcel B in the Midtown Redevelopment Area at a cost not to exceed \$81,800.00
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, Jackus, ██████████,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has requested that an award of contract be made to **TOLL ASSOCIATES, PA, 388 Elmora Avenue, Elizabeth, New Jersey 07208** to provide architectural and construction management services in connection with the design, bidding and construction of the North Broad Street Streetscape between Commerce Place and Westfield Avenue Project at a cost of \$68,400.00. This project will build upon and extend the streetscape currently under construction on Broad Street; and

WHEREAS, this project has received a grant in the amount of \$530,000.00 from the New Jersey Transit Village Program Administered through the New Jersey Department of Transportation and Urban Enterprise Zone Assistance in the amount of \$148,080.00, UEZ Project 10-0734; 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 contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00295, charging the amount of \$68,400.00 to Account No. G-02-41-798-10 of the Municipal Budget, is on file in the Office of the City Clerk; and

WHEREAS, this contract is being awarded under a fair and open process, in accordance with N.J.S.A. 19:44A-23.5 et seq and N.J.S.A. 40A:11-5 (a) (i) now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized and directed to execute an agreement with **TOLL ASSOCIATES, PA, 388 Elmora Avenue, Elizabeth, New Jersey 07208** to provide architectural and construction management services in connection with the North Broad Street Streetscape Project at a cost of \$68,400.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because these services are being performed by **TOLL ASSOCIATES**.

Also, the performance of these services requires 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, Jackus, ~~Stewart~~
Gonzalez, Keenan, Cedenno, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 12, 2010 qualification proposals for consulting professional engineering services were received; 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:11-5 (a) (i); and

WHEREAS, the Director of the Department of Public Works has requested an award of a contract be made 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 the Wave Screen at the Municipal Marina at a cost not to exceed \$40,000.00. The scope of work includes construction management services in connection with the underwater inspection of bolt and swivel joint repairs being performed by KG Marine Contracting and preparation of plans and specifications to provide cathodic protection to steel structures within the Marina; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-00294 charging the amount of \$40,000.00 to Account No X-04-55-999-X26-001 of the Municipal Budget, is on file in the Office in 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 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 **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 the Wave Screen at the Municipal Marina at a cost not to exceed \$40,000.00. The scope of work includes construction management services in connection with the underwater inspection of bolt and swivel joint repairs being performed by KG Marine Contracting and preparation of plans and specifications to provide cathodic protection to steel structures within the Marina
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, Jackus, ~~_____~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has requested an award of a contract be made to Maser Consulting, P.A, One River Centre, Building Two, 331 Newman Sprigs Road, Red Bank, New Jersey 07701, to provide professional engineering services at a cost not to exceed \$8,500.00 in connection with the design and construction management of the Fred Erxleben Recreation Center Gymnasium Floor Resurfacing; and

WHEREAS, the design of improvements to the existing floor will include construction of a matting system over the existing Dexatex floor, court painting and playing line installation; 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:11-5 (a) (i); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification No. 11-00285 charging the amount of \$8,500.00 to Account No. X-04-55-999-X13-313 of the Municipal Budget, is on file in the Office in the City Clerk; 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 City Clerk are hereby authorized and directed to execute a contract with Maser Consulting, P.A, One River Centre, Building Two, 331 Newman Sprigs Road, Red Bank, New Jersey 07701, to provide professional engineering services at a cost not to exceed \$8,500.00 in connection with the design and construction management of the Fred Erxleben Recreation Center Gymnasium Floor Resurfacing.
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.

Councilman Gonzalez thanked Recreation and Administration for resurfacing the gymnasium floor at the Erxleben Recreation Center because it is long overdue.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Blawie~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to amend the contract with the Urban League of Union County to provide comprehensive housing counseling services to extend the contract term from June 30, 2010 to December 31, 2010; and

WHEREAS, an extension is requested as the agency is experiencing increased workloads and numerous staff vacancies, resulting in work backlogs; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an amendment to the contract with the Urban League of Union County to provide comprehensive housing counseling services specifically to extend the term of the contract from June 30, 2010 to December 31, 2010.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Groves~~
Gonzalez, Keenan, Ceden, Galliman, Mazza,
and President Cuesta - ~~9~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that the City Council of the City of Elizabeth adopted a resolution on July 28, 2009 authorizing the proper City Officials to enter into an agreement with various non-profit organizations for Homeless Prevention and Rapid Re-Housing Program funding under the American Recovery Reinvestment Act of 2009, (ARRA), for two consecutive years commencing September 1, 2009 to August 31, 2010 and September 1, 2010 to August 31, 2011. Agreements were executed for the period September 1, 2009 to August 31, 2010. Funds for this period have been expended for the agreement with Central Jersey Legal Services; and

WHEREAS, the Business Administrator has requested that the resolution adopted on July 28, 2009 be amended with regard to Central Jersey Legal Services to accelerate the funds allocated for said entity for year two for use in the requested amended period of September 1, 2009 to October 31, 2011 and that the proper City officials be authorized to execute an amended agreement accordingly; and

WHEREAS, this acceleration of funding will result in additional funding to Central Jersey Legal Services in the amount of \$10,000.00 for the amended agreement period of September 1, 2009 to October 31, 2011; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 10-10260 charging the amount of \$10,000.00 to Account No. H-18-22-141-LEG, 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 Elizabeth amends the resolution adopted on July 28, 2009 to accelerate the funds allocated for Central Jersey Legal Services for Homeless Prevention and Rapid Re-Housing Program for year two for use in the amended period of September 1, 2009 to October 31, 2011 and that the proper City Officials be authorized to execute an amended agreement consistent therewith.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Police Department has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for the 2010 State Body Armor Replacement Fund Program; and

WHEREAS, the New Jersey State Body Armor Grant funds can be used to purchase a body vest which is designed to be worn for protection against blunt force trauma associated either with the impact of a fire arm projectile or with a knife or other pointed instrument and which meets or exceeds either of the National Institute of Justice's (NIJ) applicable standards for either "ballistic resistant body armor" or "stab resistant body armor"; and

WHEREAS, this program provides lifesaving equipment for law enforcement officers. Municipal funding is formula based; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute all appropriate documents for the 2010 State of New Jersey Body Armor Replacement Fund Grant for the reasons stated hereinabove.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Grove~~,
Gonzalez, Keenan, Ceden, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

CITY COUNCIL AS A WHOLE:

WHEREAS, John Pasko, is the owner of the property located at 463-465 Third Ave known as Tax Account 5-1396

WHEREAS, the said property owner applied and qualified for a \$250.00 Veteran deduction commencing with year 2010, and

WHEREAS, John Pasko did not receive the \$250.00 for Tax Year 2010, now therefore, be it

RESOLVED, that the Tax Collector be authorized to credit/ refund the said property owner the sum of \$250.00 for Tax Year 2010.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS WHOLE:

WHEREAS, various senior citizens were disallowed senior citizen deductions in the amount of \$250.00 for the Tax Year 2009 as a result of failure to file a Post-Tax Year Statement as set forth below:

<u>Block & Lot</u>	<u>Owner</u>	<u>Property Description</u>	<u>Amount</u>
05-0820	Cohens, R J & James	207 Geneva St.	250.00
07-0796	Wilson, Ethel M.	608-610 Magnolia Ave.	250.00
12-0920	Ducasse, M. & S.	1145 Magnolia Ave.	250.00
13-0537	Boada, C & M.& I.	20 Gibson Pl.	<u>250.00</u>
			<u>\$ 1,000.00</u>

WHEREAS, the above mentioned senior citizens were ill and unable to file said form on time, but have now filed the necessary Post-Tax Year Statement for the Tax Year 2009 attached with a doctor's certificate; and

WHEREAS, there remains on the tax records of the City of Elizabeth the sum of \$1,000.00 as stated above; now, therefore, be it

RESOLVED, that the Tax Collector is hereby authorized to cancel the said disallowed senior citizen deductions in the amount of \$1,000.00 for the Tax Year 2009.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~_____~~
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta **AB**

NEGATIVE: None

BY CITY COUNCIL AS WHOLE:

WHEREAS, the listed senior citizens were disallowed senior citizen deductions in the amount of \$250.00 for the Tax Year 2009 as a result of erroneously filing a Post Tax Year Statement indicating that their income exceeded \$10,000.00 as set forth below:

<u>Block & Lot</u>	<u>Owner</u>	<u>Property Description</u>	<u>Amount</u>
08-0070	Arias, Mirta	731-733 Adams Ave.	\$ 250.00
08-1597	Antunes, S. & E.	812-814 Spring St.	250.00
			<u>\$ 500.00</u>

WHEREAS, the above mentioned senior citizens have now correctly filed their Annual Post-Tax Year Statement for the Tax Year 2009; and

WHEREAS, there remains on the tax records of the City of Elizabeth the sum of \$500.00 as stated above; now, therefore, be it

RESOLVED, that the Tax Collector is hereby authorized to cancel the said disallowed senior citizen deductions in the amount of \$500.00 for the Tax Year 2009.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Keenan~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, certain Payroll checks issued by the City of Elizabeth in previous years remain outstanding and unclaimed; and

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

RESOLVED, that the City Treasurer be and he is hereby authorized to cancel the following checks in the amount of \$6,707.47 as set forth in the attached schedule by number and amount and the sum of \$6,707.47 be credited to Miscellaneous Revenue not anticipated; and be it

FURTHER RESOLVED, that should any these checks be presented for 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.

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CHECK NO.	DATE	AMOUNT
263935	7/1/2008	26.95
266131	8/12/2008	51.72
266318	8/12/2008	465.59
267217	8/26/2008	201.97
267626	8/26/2008	0.98
269742	9/30/2008	321.40
271107	10/21/2008	169.65
271301	10/21/2008	252.09
272225	10/27/2008	10.14
273422	11/18/2008	1,505.20
274250	12/2/2008	271.97
275093	12/16/2008	206.28
275865	12/30/2008	250.35
276362	12/30/2008	216.00
276584	1/13/2009	90.51
277004	1/13/2009	2.53
277418	1/27/2009	249.75
278137	2/3/2009	509.45
278624	2/10/2009	59.29
282682	4/21/2009	246.60
283780	5/12/2009	340.82
283944	5/19/2009	267.14
285544	6/16/2009	267.16
286181	6/23/2009	230.24
287342	6/23/2009	226.54
287538	6/30/2009	267.15
GRAND TOT		<u>6,707.47</u>

Which was adopted by the following vote:

- AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8
- NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, certain Operating checks issued by the City of Elizabeth in previous years remain outstanding and unclaimed; and

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

RESOLVED, that the City Treasurer be and he is hereby authorized to cancel the following checks in the amount of \$12,623.48 as set forth in the attached schedule by number and amount and the sum of \$12,623.48 be credited to Miscellaneous Revenue not anticipated; and be it

FURTHER RESOLVED, that should any these checks be presented for 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.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, certain checks issued by the City of Elizabeth in previous years remain outstanding and unclaimed; and

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

RESOLVED, that the City Treasurer be and he is hereby authorized to cancel the following checks in the amount as set forth in the attached schedule by number and amount and the total thereof be credited to Miscellaneous Revenue not anticipated; and be it

FURTHER RESOLVED, that should any these checks be presented for 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.

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City of Elizabeth
STALE DATED CHECKS TO BE CANCELLED BY RCC
Cancel to June 2008 --Source February 2010 O/S List

Tax Refund Account

8689	07/12/2007	920.50
8705	07/12/2007	237.16
8713	07/12/2007	2.50
8747	07/24/2007	1,667.58
8800	07/26/2007	12.93
8910	08/23/2007	1,070.64
8924	08/30/2007	226.38
8925	08/30/2007	226.38
8969	08/30/2007	1,802.64
9007	09/13/2007	1,476.05
9016	09/13/2007	247.97
9017	09/13/2007	247.96
9026	09/13/2007	239.25
9027	09/13/2007	239.26
9050	09/13/2007	168.49
9051	09/13/2007	168.48
9052	09/13/2007	153.28
9053	09/13/2007	153.29
9067	09/13/2007	457.44
9068	09/13/2007	457.43
9085	09/13/2007	2,559.52
9086	09/13/2007	2,559.51
9087	09/13/2007	10.31
9105	09/27/2007	4,121.96
9107	09/27/2007	3,765.08
9117	09/27/2007	3,943.52
9121	09/27/2007	1,433.45
9131	09/27/2007	981.42
9140	09/27/2007	1,518.16
9159	10/11/2007	18.79
9167	10/11/2007	1,303.50
9186	10/11/2007	1,809.21
9192	10/11/2007	884.98
9195	10/11/2007	667.01
9198	10/11/2007	418.52
9264	10/25/2007	686.82
9265	10/25/2007	730.46
9266	10/25/2007	730.46
9363	11/21/2007	3.29
9393	12/13/2007	839.46
9398	12/13/2007	978.95
9407	12/13/2007	1,681.88
9446	12/28/2007	163.42

9447	12/28/2007	163.42
9463	12/28/2007	620.38
9486	01/10/2008	1,680.00
9492	01/10/2008	998.33
9504	01/24/2008	1,010.99
9505	01/24/2008	1,934.06
9506	01/24/2008	204.18
9514	01/24/2008	607.45
9520	01/24/2008	250.00
9529	01/24/2008	2,091.34
9535	01/24/2008	922.38
9541	01/24/2008	2,007.50
9552	01/24/2008	979.02
9555	01/24/2008	962.68
9556	01/24/2008	803.06
9582	01/24/2008	1,287.70
9585	01/24/2008	1,425.43
9593	01/24/2008	1,077.91
9597	01/24/2008	1,985.97
9601	01/24/2008	2,154.20
9602	01/24/2008	2,495.44
9606	01/24/2008	3.22
9607	01/24/2008	809.13
9609	01/24/2008	6.65
9610	01/24/2008	6.64
9613	01/24/2008	267.67
9635	01/24/2008	915.00
9649	01/24/2008	1,191.74
9650	01/24/2008	890.29
9669	01/24/2008	770.00
9705	02/28/2008	936.27
9707	02/28/2008	328.19
9710	02/28/2008	331.67
9723	02/28/2008	31.08
9786	03/11/2008	430.41
9792	03/11/2008	1,000.00
9793	03/11/2008	1,277.31
9812	03/11/2008	1,459.46
9813	03/11/2008	1,290.15
9815	03/11/2008	1,177.81
9818	03/11/2008	327.31
9821	03/11/2008	1,970.99
9822	03/11/2008	1,560.98
9830	03/11/2008	795.77
9841	03/11/2008	1,214.99
9850	03/11/2008	995.04
9851	03/11/2008	3,284.44
9872	04/10/2008	884.07
9877	04/10/2008	603.75
9898	05/15/2008	538.81
9905	05/15/2008	1,629.47

91

9923	05/15/2008	705.34
9925	05/15/2008	959.11
9931	05/15/2008	27.95
9939	05/15/2008	851.15
9950	05/15/2008	1,346.03
9955	05/15/2008	742.17
9961	05/15/2008	886.81
9968	05/15/2008	630.58
9970	05/15/2008	55.58
9971	05/15/2008	55.58
9972	05/15/2008	751.25
9984	05/15/2008	578.74
9986	05/15/2008	1,993.21
9987	05/15/2008	310.05
9989	05/15/2008	379.62
9993	05/15/2008	730.00
9994	05/15/2008	250.00
9999	05/15/2008	631.37
10002	05/15/2008	327.31
10005	05/15/2008	884.26
10017	05/15/2008	1,029.23
10018	05/15/2008	399.61
10025	05/15/2008	1,130.51
10041	05/15/2008	998.53
10044	05/15/2008	1,192.30
10047	05/15/2008	1,036.47
10049	05/15/2008	617.74
10064	05/15/2008	1,246.41
10065	05/15/2008	1,537.62
10067	05/15/2008	913.43
10072	05/15/2008	1,217.67
10074	05/15/2008	700.00
10075	05/15/2008	1,390.00
10083	05/15/2008	1,098.91
10084	05/15/2008	1,141.86
10096	05/15/2008	1,757.92
10102	05/15/2008	1,689.82
10103	05/15/2008	1,756.16
10106	05/15/2008	1,346.91
10108	05/15/2008	1,248.37
10113	05/15/2008	1,001.96
10117	05/15/2008	1,545.24
10127	05/15/2008	2,348.30
10139	05/15/2008	1,297.79
10144	05/15/2008	9.04
10146	05/15/2008	1,281.33
10154	05/15/2008	1,536.58
10203	05/29/2008	2,009.74
10208	05/29/2008	2,221.92
10216	05/29/2008	2,085.91
10220	05/29/2008	723.14

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Department of Public Works has caused certain cleaning up and removal of debris from the properties at the costs listed on Schedule A attached hereto and made a part hereof after due and proper notice to the owners thereof as required and the owners thereof having been notified of the cost to the City in the sums on Schedule A and said costs not having been paid to the City of Elizabeth as required and the Director of the Department of Public Works having issued certificates to City Council of the costs to the City of same; and

WHEREAS, City Council having examined the Certificates of the said Director of the Department of Public Works and having found the same to be correct; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the cost as shown on the Certificates of the Director of the Department of Public Works of costs to the City for cleanup and removal of debris for the properties at the costs listed on the Schedule A attached hereto and made a part hereof is hereby made a lien on said properties, which lien shall hereafter form part of the taxes next to be assessed and levied upon said lands in the sums set forth on Schedule A the same to bear interest at the same rate as taxes and to be collected and enforced by the same officers and in the same manner as taxes in accordance with the provisions of N.J.S.A. 40:48-2.14 and Chapter 15.12.180, of the Code of the City of Elizabeth.

Certificate Invoice 6/28/2010 Total Amount: \$9,220.01

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, [redacted], Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

94

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of 21 Chilton Street, Elizabeth, New Jersey 07202 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Chilton Street
beginning at a point 304' North of Rahway Avenue
and continuing 22' North thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta 8

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 602 First Avenue, Elizabeth, New Jersey 07206 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of Amity Street
beginning at a point 76' South of First Avenue
and continuing 22' South thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

96

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of 247 Marshall Street, Elizabeth, New Jersey 07206 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Marshall Street

beginning at a point 214' East of Third Street

and continuing 22' East thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Casta~~
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

97

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of 614 Marshall Street, Elizabeth, New Jersey 07202 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Marshall Street
beginning at a point 189' West of Sixth Street
and continuing 22' West thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████,
Gonzalez, Keenañ, Cedeno, Gallman, Mazza,
and President Cuesta - 8

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 1011 Olive Street, Elizabeth, New Jersey as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curb line of Olive Street

beginning at a point 138' West of Rt. 1 & 9 South

and continuing 22' West thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Crowe~~, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

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 419 Spencer Street, Elizabeth, New Jersey 07202 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of Spencer Street
beginning at a point 239' South of Fourth Avenue
and continuing 22' South thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Cristina~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta ~~4~~ 8

NEGATIVE: None

100

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a
handicapped parking space in front of 553 Third Avenue, Elizabeth, New Jersey 07202
as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curb line of Third Avenue

beginning at a point 70' East of Palmer Street

and continuing 22' East thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs,
type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - 7 8

NEGATIVE: None

101

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a
handicapped parking space in front of 413 S. Broad Street, Elizabeth, New Jersey 07206
as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of So. Broad Street
beginning at a point 176' South of Grove Street
and continuing 22' South thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs,
type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - 8
NEGATIVE: None

102

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of 717 Clarkson Avenue, Elizabeth, New Jersey 07206 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of Clarkson Avenue
beginning at a point 229' South of Myrtle Street
and continuing 22' South thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Ortega~~,
Gonzalez, Keenan, Cedenó, Gallman, Mazza,
and President Cuesta - 8

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 525 Fulton Street, 726 Jackson Avenue, 156 Magnolia Avenue, 15 Palmer Street, Elizabeth, New Jersey in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Ortega~~,
Gonzalez, Keenan, Cedenó, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, for over 100 years, the Olympic movement has built a more peaceful and better world by educating young people through amateur athletics, by bringing together athletes from many countries in friendly competition, and by forging new relationships bound by friendship, solidarity and fair play; and

WHEREAS, the United States Olympic committee is dedicated to coordinating and developing amateur athletic activities in the United States to productive working relationships among sports-related organizations; and

WHEREAS, the City of Elizabeth promotes and supports amateur athletic activities involving Olympic and Paralympic sport; and

WHEREAS, the City of Elizabeth promotes and encourages physical fitness and public participation in amateur athletic activities; and

WHEREAS, the City of Elizabeth assists organizations and persons concerned with sports in the development of athletic programs for able-bodied and disabled athletes regardless of age, race or gender; and

WHEREAS, July 22nd is the anniversary of the foundation of the modern Olympic movement, representing the dates on which the Congress of Paris approved the proposal of Pierre de Coubertin to found the modern Olympics; now therefore be it,

RESOLVED that we, the members of City Council of the City of Elizabeth, hereby proclaim with much appreciation and admiration, July 22, 2010 as Olympic Day within the City of Elizabeth and urge all citizens to observe such anniversary with appropriate ceremonies and activities.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Stewart~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta ~~8~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, National Night Out (NNO) Against Crime is an annual event focusing on neighborhood efforts against crime. The City of Elizabeth will be joining more than one thousand other communities nationwide in sponsoring special events on Tuesday, August 3, 2010 at Cateret Park, Elizabeth, New Jersey from 6:00 p.m. to 8:00 p.m.; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth proclaims, Tuesday, August 3, 2010 as the Annual National Night Out (NNO) Against Crime in the City of Elizabeth from 6:00 p.m. to 8:00 p.m.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - ~~X~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

~~██████████~~ 105

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:

ELIZABETH TOWN GAS	0-01-31-446	\$ 4,430.38
FLEETCOR TECHNOLOGIES SERVICE	0-01-31-460	\$ 79,720.30
LANGUAGE LINE SERVICES	0-01-43-490-MCO-302	\$ 1,487.09
NATIONAL FUEL OIL, INC.	0-01-31-460	\$ 5,215.50
PSE&G	0-01-31-430	\$ 5,895.79
PSE&G	0-07-55-500-SEW-351	\$ 137,232.86
PSE&G	0-01-31-430	\$ 12,415.68
SPRINT	0-01-31-440	\$ 83.13
VERIZON	0-01-31-440	\$ 35,738.79
VERIZON CABS	0-01-31-440	\$ 192.76
VERIZON WIRELESS	0-01-31-440	\$ 587.61
VERIZON COMMUNICATIONS	0-01-31-440	\$ 102.62

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Costa~~,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta: ~~7~~ 8

NEGATIVE: None

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:

AT&T	1-01-31-440	\$ 1,700.72
ELIZABETHTOWN GAS	0-01-31-446	\$ 3,946.17
FLEETCOR TECHNOLOGIES SERVICE	0-01-31-460	\$ 81,904.68
NATIONAL FUEL OIL, INC.	0-01-31-460	\$ 17,037.07
NATIONAL TERMINAL, INC.	0-01-31-460	\$ 8,798.16
NEXTEL COMMUNICATIONS	0-01-31-440	\$ 2,994.83
PEPCO ENERGY SERVICES	0-01-31-446	\$ 1,419.65
PSE&G	0-01-31-430	\$ 8,655.43
VARIOUS POLICE DEPT. ELECTRIC	0-01-31-430	\$ 49,731.46
SPRINT	0-01-31-440	\$ 1,558.92
USA MOBILITY	1-01-31-440	\$ 884.65
VERIZON	0-01-31-440	\$ 9,724.29
VERIZON WIRELESS	0-01-31-440	\$ 15,301.86

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, ~~_____~~
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - ~~8~~ 8

NEGATIVE: None

106 A

[REDACTED]

BY COUNCIL AS A WHOLE:

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

<u>ORGANIZATION</u>	<u>AG</u>	<u>B.L.</u>	<u>R.L.</u>	<u>DATE</u>
Rotary Club of Elizabeth			5240	7-22-10

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, [REDACTED], Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

107

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that on July 1, 2010, the Steele Memorial F.B.H. Church, 504 Court Street, Elizabeth, New Jersey will be celebrating their 80th Annual Sunday School and Holiness Young Peoples Union (HYPU) Convention of the New Jersey District; and

WHEREAS, this convention is geared to youth and religious services to enhance the community and to help produce a society of benevolent people that will have an altruism spirit; and

WHEREAS, with each convention the history and the omnipotence of their future goals are highlighted; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby congratulates the Steele Memorial F.B.H. Church, 504 Court Street, Elizabeth, New Jersey as they celebrate their 80th Annual Sunday School and Holiness Young Peoples Union (HYPU) Convention of the New Jersey District and wishes them continued success in their future endeavors; and be it

FURTHER RESOLVED that a copy of this resolution be spread in full upon the minutes of City Council and that a certified copy be forwarded to the Steele Memorial F.B.H. Church, 504 Court Street, Elizabeth, New Jersey.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, [redacted],
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

108



BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth, New Jersey has learned of the retirement of Ms. Desiree Pickens, a Guidance Counselor in Elizabeth High School, City of Elizabeth, for many years, now therefore be it

RESOLVED that the City Council of the City of Elizabeth hereby extends its congratulations and wishes to express to Ms. Pickens the City Council's best wishes for continued happiness and good health in the future; 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 Ms. Desiree Pickens.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, 
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

109

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Josephine Meo (nee Travisano), 81; and

WHEREAS, a lifelong Elizabeth resident, Mrs. Meo was a homemaker and a member of the Knights of Columbus Ladies Auxilliary Council 3310; and

WHEREAS, Josephine is survived by her loving husband, Angelo Meo; sisters, Mrs. Rose Costa and Mrs. Mary Sistito, and brother, Joseph Travisano and his wife, Virginia, and is also survived by many loving and caring nieces and nephews; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Josephine Meo and wishes to express sympathy to her 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 City Council and a certified copy be sent to her family.

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

Councilman Keenan moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Cuesta declared City Council adjourned at

9:10 p.m.

APPROVED

FRANK J. CUESTA
President of City Council

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