PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
January 14, 2014
7:30 p.m.

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

Council President Manny Grova, Jr., announced that this regular meeting is listed in the "Annual Notice", as defined by Chapter 231, P.L. 1975, and that copies of the "Annual Notice" have been mailed or delivered to the Star Ledger, Home News and Tribune, and Cablevision of Elizabeth and posted and filed in the City Clerk's Office in compliance with the terms of the Open Public Meetings Law, Chapter 231, P.L. 1975 on December 27, 2013.

PRESENT: Council Members-at-Large: Patricia Perkins-Auguste,
Frank J. Cuesta,
Council Members: Carlos L. Torres, 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 Manny Grova, Jr., Councilman-at-Large - 9

ABSENT:

ALSO PRESENT: Jorge Estrada, Special Counsel

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

NOTE: Councilman Gallman arrived at the meeting at 7:45 p.m. and assumed his seat.

PUBLIC SPEAKING

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

PUBLIC HEARINGS

Council President Grova announced that the next business in order would be a public hearing on **Ordinance No. 4445**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BARBARA COLON, 67 CLOVER STREET, ELIZABETH, N.J. 07201.

This ordinance was adopted on its first reading at the meeting of City Council held on **December 23, 2013.**

The Notice of Public Hearing was published in the Star Ledger issue of **January 7, 2014.**

The Clerk read the foregoing ordinance by title and Council President Grova 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 Grova declared the public hearing portion of the meeting closed.

Council President Grova announced that the next business in order would be a public hearing on **Ordinance No. 4446**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR RICHARD J. KUCMYDA, 210 FULTON STREET, ELIZABETH, N.J.

This ordinance was adopted on its first reading at the meeting of City Council held on **December 23, 2013.**

The Notice of Public Hearing was published in the Star Ledger issue of **January 7, 2014.**

The Clerk read the foregoing ordinance by title and Council President Grova 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 Grova declared the public hearing portion of the meeting closed.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 2, 2014, from His Honor the Mayor, subject to the confirmation of your Honorable Body, is re-appointing Ms. Elizabeth J. Pollard, 205 First Street, Apt. 409, Elizabeth, NJ, to serve as a member of the Elizabeth Housing Authority for a new term of five years effective January 17, 2014.
Which was received.

By the Clerk:

Letter dated January 7, 2014, from His Honor the Mayor, subject to the confirmation of your Honorable Body, is making the following appointments: Norma M. Murgado, Esq., Chief Municipal Prosecutor; Ashton E. Thomas, Esq., Patricia A. Mack, Esq., Tangerla Mitchell Thomas, Esq., Assistant Municipal Prosecutors; Robert C. Carroll, Esq., Suzette Cavadas, Esq., William T. Donegan, Esq., Kevin D. Harris, Esq., Anabela Dacruz-Melo, Esq., Annette Quijano, Esq., Christopher Howard, Esq., Temporary Municipal Prosecutors, for a term of one year effective January 1, 2014.
Which was received.

By the Clerk:

Letter dated December 27, 2013, from the Business Administrator requesting authorization for the issuance of insurance covering City-owned properties with The Chubb Group of Insurance Companies, 12 Vreeland Road, Florham Park, NJ, through the agent-of-record, Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, NJ, for the period of October 1, 2013 to October 1, 2014 at an annual premium of $134,796.00.
Which was received.

By the Clerk:

Letter dated December 31, 2013, from the Business Administrator recommending the award of a contract to Gen-El Safety Industrial Products, 961 Route 10 East, Suite 2M, Randolph, NJ, for the purchase of a Fit Testing System at a total cost of $9,643.50.
Which was received.

By the Clerk:

Letter dated December 31, 2013, from the Business Administrator recommending the award of a GLP contract to South Jersey Energy, 1 North Whitehorse Pike, Hammonton, NJ, for the purchase of electricity, through the New Jersey Sustainable Energy Joint Meeting, for the period of January 2014 meter read date through the June 2015 meter read date at a rate of $0.05722 per kilowatt hour.
Which was received.

By the Clerk:

Letter dated January 3, 2014 from the Business Administrator recommending the award of a contract to Archonix Systems, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, NJ, for the upgrade to the XCAD Data Export within the Police Department for records management in the amount of $5,400.00.
Which was received.

By the Clerk:

Letter dated January 6, 2014, from the Business Administrator recommending the award of a contract to Northeast Auto & Truck Parts, LLC/Division of Capital Supply, Inc., 976 Broadway, Bayonne, NJ, for the purchase of automotive parts and accessories, to include but not limited to brakes, filters and spark plugs, for the Department of Public Works for the period of December 25, 2013 through January 25, 2014 at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:

Letter dated January 6, 2014, from the Business Administrator recommending the award of a contract to Storr Tractor Company, 3191 Route 22, Branchburg, NJ, for the purchase of a power broom with a hydraulic angle for the Department of Public Works, under the Somerset County Co-Op, for the period of December 23, 2013 through February 12, 2014, in the amount of $10,000.00.
Which was received.

By the Clerk:

Letter dated January 6, 2014, from the Business Administrator requesting authorization for the proper City officials to sign all necessary documents to enter into an agreement with Kean University, School of Environmental and Sustainability Sciences, for funds from The Hurricane Sandy Coastal Resiliency Competitive Grants Program in an amount not to exceed $250,000.00.
Which was received.

By the Clerk:

Letter dated January 8, 2014, from the Business Administrator recommending the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ, to serve as the City's engineering consultant under the Congressionally- awarded Solar Program to prepare and issue technical bid specifications or an RFP and to serve as the City's Project Manager through project completion for the period of January 1, 2014 through December 31, 2014, at a cost not to exceed $150,000.00, unless further authorized by City Council.
Which was received.

By the Clerk:

Letter dated January 8, 2014, from the Business Administrator requesting an amendment to the resolution adopted December 18, 2012, authorizing a Lease-Purchase Agreement with Motorola Solutions, Inc., to provide equipment to all City departments classified as first responders under the Motorola Trunked Radio System Upgrade, specifically to authorize the proper City officials to execute an amendment to Schedule A of the Lease-Purchase Agreement to include Public Works and non-first responders at a cost not to exceed $424,454.24, which is payable in four annual payments.
Which was received.

By the Clerk:

Letter dated January 8, 2014, from the Business Administrator requesting authorization for the City of Elizabeth Planning Board to review the NJ Department of Environmental Protection's Model Flood Damage Prevention Ordinance and make recommendations to your Honorable Body for adoption.
Which was received.

By the Clerk:

Letter dated January 8, 2014, from the Business Administrator requesting to designate the joint venture of FAROS Properties and MAS Development Group, LLC/or successor entity, as Redeveloper of Midtown Parcels B and D and authorize the proper City officials to negotiate and execute a Redevelopment Agreement with said entity.
Which was received.

By the Clerk:

Letter dated December 19, 2013, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel the disallowed disabled person deduction on the property located at 70-76 Parker Road for the Tax Year 2012 in the amount of $250.00.
Which was received.

By the Clerk:

Letter dated January 8, 2014, from the Chief Financial Officer advising that additional grants may be appropriated in the 2014 SFY Budget by budget amendments.
Which was received.

By the Clerk:

Letter dated January 8, 2014, from the Chief Financial Officer advising that in compliance with the SFY 2014 Appropriations Act requires your Honorable Body to approve all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:

Letter dated January 8, 2014, from the Chief Financial Officer recommending that the Honorable Members of City Council requests the Director of the Division of Local Finance to make the appropriate changes in the adopted 2014 Municipal budget to account for the City's restructuring regarding the Department of Neighborhood Services in its entirety assigning its bureaus to existing departments and amending other portions of the Code of the City of Elizabeth accordingly.
Which was received.

By the Clerk:

Letter dated January 8, 2014, from the Chief Financial Officer advising, that in compliance with the SFY2012 Appropriations Act , your Honorable Body review the City's 2013 SFY Annual Financial Statements with particular emphasis on Sheets 19 through 27 surplus generation and usage, tax collection rates (including the status of tax liens), and delinquent tax collection statements.
Which was received.

By the Clerk:

Letter dated January 7, 2014, from the Director of Health and Human Services requesting authorization to enter into an agreement between the City of Elizabeth, Department of Health and Human Services, and the following: Westfield Regional Health Department, Union Health Department, City of Linden, Borough of Roselle, Township of Hillside, City of Rahway, Township of Springfield, Township of Scotch Plains, and Township of Winfield; each municipality agrees to pay $70.00 per patient for services rendered at the Sexually Transmitted Disease clinic; total sum shall be payable upon receipt of a report containing confirmed cases for the period of January 1, 2014 through December 31, 2014.
Which was received.

By the Clerk:

Letter dated January 7, 2014, from the Director of Health and Human Services requesting authorization to enter into an agreement between the City of Elizabeth, Department of Health and Human Services, and the following: Westfield Regional Health Department, Union Health Department, City of Linden, Borough of Roselle, Township of Hillside, City of Rahway, Township of Springfield, Township of Scotch Plains, and Township of Winfield; each municipality agrees to pay $90.00 per patient visit and an administration fee of $70.00 for services rendered at the Union County TB Reactor Clinic in Elizabeth; total sum shall be payable upon receipt of a report of a confirmed medical services rendered for the period of January 1, 2014 through December 31, 2014.
Which was received.

By the Clerk:

Letter dated December 2, 2013, from the Acting Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with the YWCA of Eastern Union County, Inc., 1131 E. Jersey Street, Elizabeth, NJ, to provide funds for the purchase and installation of a natural gas powered generator that would maintain electrical service to the emergency shelter in the event of a power interruption for the period of July 1, 2013 until June 30, 2014 in the amount of $21,250.00.
Which was received.

By the Clerk:

Letter dated January 2, 2014, from the Acting Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary to Discharge the City's second mortgage, Owner Occupied Basic-Deferred Payment Loan Program, on the property located at 223 Elm Court, in the amount of $20,805.00.
Which was received.

By the Clerk:

Letter dated December 20, 2013, from the Police Director requesting the deletion of the following handicapped parking spaces from in front of 519 Franklin Street and 229 South Second Street.
Which was received.

By the Clerk:

Letter dated January 3, 2014, from the Police Director requesting the establishment of Stop Signs on Myrtle Street at Grier Avenue, as well as stop sign warning signage 100 feet before both signs.
Which was received.

By the Clerk:

Letter dated December 9, 2013, from Steven Krup, PSE&G Services Corporation, requesting to enter into an Access Agreement to complete the geotechnical investigation necessary for the design of repairs to their transmission line.
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated January 8, 2014, from the Frank O. Mazza Civic Association, 630 Third Avenue, Elizabeth, requesting permission to host the Seventh Annual Saint Vito Procession and Feast to be held June 19 through June 22, 2014 from 6:30 p.m. to 10:30 p.m.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated December 11, 2013, from the Chief Financial Officer submitting the City Treasurer's Report of Receipts and disbursements for the month of August, 2013, and Statement of Bank Balances and Investments as of August 31, 2013.
Which was received.

ORDINANCES ON FIRST READING

Council President Grova announced that the next business in order would be the introduction of **Ordinance No. 4447** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AMEND CHAPTER 10.08.010
OF THE CODE OF THE CITY OF ELIZABETH, ENTITLED
A FOUR-WAY STOP INTERSECTIONS, SPECIFICALLY TO
DESIGNATE MYRTLE STREET AND GRIER AVENUE AS
A FOUR-WAY STOP INTERSECTION AND THE INSTALLATION
OF A "STOP SIGN WARNING" ONE HUNDRED (100) FEET BEFORE
THE STOP SIGNS AT SAID INTERSECTION.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta,
Torres, Gonzalez, Keenan, Cedeno,
Mazza, Gallman, and President Grova, - 9

NEGATIVE: None

Council President Grova announced that public notice will be published fixing Tuesday evening, January 28, 2014, 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. 4447, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4445** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BARBARA COLON, 67 CLOVER STREET, ELIZABETH, N.J. 07201.

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

SECTION 1. - A personalized handicapped parking space for **Barbara Colon** be established in front of **67 Clover Street, Elizabeth, New Jersey 07201,** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the East curb line of Clover Street beginning at a point 112' North of Murray Street, and continuing 22' North 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 **December 23, 2013.**

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 **January 7, 2014.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Mazza, Gallman, and President Grova, - 9

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4446** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR RICHARD J. KUCMYDA, 210 FULTON STREET, ELIZABETH, N.J.

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

SECTION 1. - A personalized handicapped parking space for **Richard J. Kucmyda** be established in front of **210 Fulton Street, Elizabeth, New Jersey,** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the South curb line of Fulton Street beginning at a point 138' West of Second Street, and continuing 22' West 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 **December 23, 2013.**

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 **January 7, 2014.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Mazza, Gallman, and President Grova, - 9

NEGATIVE: None

By City Council as a Whole:

WHEREAS, N.J.S. 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Elizabeth will receive an amount of $16,060.63 for the Drunk Driving Enforcement Grant 2014 awarded by the State of New Jersey Department of Motor Vehicles and wishes to amend its FY2014 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2014 in the total sum of $16,060.63 which is now available as a revenue from:

Miscellaneous Revenues
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
State and Federal Revenues Off-set with Appropriations:

State of New Jersey Department of Motor Vehicles Drunk Driving Enforcement Grant 2014	$16,060.63

BE IT FURTHER RESOLVED, that a like sum of $16,060.63 be and the same is hereby appropriated under the caption of :

General Appropriations
(a) Operations Excluded from 3 ½ % Caps
State and Federal Programs Offset by Revenues:

State of New Jersey Department of Motor Vehicles Drunk Driving Enforcement Grant 2014 Other Expenses	$16,060.63

BE IT FURTHER RESOLVED, that City Clerk forward two copies of this resolution to the Director of Local Government Services.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

By City Council as a Whole:

WHEREAS, N.J.S.A. 40A 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the Governing Body of the Municipality, make such correction of the title, text or amount of any appropriation appearing in the municipal budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such municipality,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-85, that the City Council of the City of Elizabeth hereby requests the Director of the Division of Local Finance to make the following corrections in the 2014 Municipal Budget;

Name of Appropriation	From	To
Neighborhood Services:		
Director's Office		
Other Expenses	$1,650.00	
Bureau of Construction & Zoning		
Salaries & Wages	$733,575.28	
Other Expenses	$67,894.04	
Bureau of Housing		
Salaries & Wages	$395,140.44	
Other Expenses	$6,625.62	
Bureau of Rent Control		
Salaries & Wages	$36,059.52	
Other Expenses	$3,350.00	
Bureau of Central Licensing		
Salaries & Wages	$337,879.11	
Other Expenses	$10,261.62	
Bureau of Weights & Measures		
Salaries & Wages	$49,796.86	
Other Expenses	$200.32	

Administration:

Business Administrator's Office	
Other Expenses	$1,650.00
Bureau of Rent Control	
Salaries & Wages	$36,059.52
Other Expenses	$3,350.00
Bureau of Central Licensing	
Salaries & Wages	$337,879.11
Other Expenses	$10,261.62
Bureau of Weights & Measures	
Salaries & Wages	$49,796.86
Other Expenses	$200.32

Department of Planning & Community Development:

Bureau of Construction & Zoning	
Salaries & Wages	$733,575.28
Other Expenses	$67,894.04

Department of Health & Human Services:

Bureau of Housing	
Salaries & Wages	$395,140.44
Other Expenses	$6,625.62

BE IT FURTHER RESOLVED, that the foregoing correction is, in the opinion of the Governing Body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the City of Elizabeth for the reasons herein above set forth; and,

BE IT FURTHER RESOLVED, that the City Clerk forward two copies of this resolution to the Director of the Division of Local Government Services for approval and one copy each to the Chief Financial Officer, Assistant Comptroller, and Auditor.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Division of Local Government Services in compliance with the SFY 2012 Appropriations Act (P.L. 2011, c.85) requires that the Honorable City Council review the City's Annual Financial Statements each year with particular emphasis on surplus generation and usage, tax collection rates (including the status of tax liens), and delinquent tax collection statement; and

WHEREAS, the 2013 SFY Annual Financial Statements have been submitted to the Honorable City Council for their review; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED, by City Council of the City of Elizabeth, that the 2013 SFY Annual Financial Statements have been received by the Honorable City Council for their review with particular emphasis on surplus generation and usage, tax collection rates (including the status of tax liens), and delinquent tax collection statement; and

FURTHER RESOLVED, that a certified copy of this resolution be recorded in full upon the minutes of City Council.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby confirm the re-appointment of **Ms. Elizabeth J. Pollard, 216A Front Street, Elizabeth, New Jersey 07206** to serve as a Member of the Elizabeth Housing Authority for a term of five years, effective January 17, 2014 pursuant to **N.J.S.A.** 40A:12A-17 et seq. and **N.J.S.A.** 40:69A-43 et seq.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted], - 7

NEGATIVE: None

EXCUSED: Cuesta, Grova — 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Norma M. Murgado, Esq.**, to serve as Chief Municipal Prosecutor of the Elizabeth Municipal Court, of the City of Elizabeth, for a term of one year commencing January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted] - 7

NEGATIVE: None

EXCUSED: Cuesta, Grova — 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Ashton E. Thomas Esq.,** to serve as Assistant Municipal Prosecutor at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted] - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova — 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Patricia A. Mack, Esq.,** to serve as Assistant Municipal Prosecutor at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted], - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova — 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Tangerla Mitchell Thomas, Esq.,** to serve as **Assistant Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted] Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted] - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova - 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby advise and consent to the appointment of **Robert C. Carroll, Esq.,** as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth for a term of one year commencing,

January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted] - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova - 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Suzette Cavadas, Esq.,** to serve as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted], - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova - 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby advise and consent to the appointment of **William T. Donegan, Esq.,** as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth for a term of one year commencing, January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted], - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova - 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Kevin D. Harris, Esq.,** to serve as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted] - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova - 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Anabela Dacruz-Melo, Esq.,** to serve as Temporary Municipal Prosecutor at the Elizabeth Municipal Court of the City of Elizabeth, for a term of one year effective January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President [redacted] - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova - 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Annette Quijano, Esq.,** to serve as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, ~~Cuesta~~, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza. and President ~~Grova~~. - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova - 2

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Christopher Howard, Esq.,** to serve as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, ~~Cuesta~~, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President ~~Grova~~. - X 7

NEGATIVE: None

EXCUSED: Cuesta, Grova - 2

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended an award of contract be made to **The Chubb Group of Insurance Companies, 12 Vreeland Road, Florham Park, New Jersey 07932 through their agent-of-record Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, New Jersey 07632** for insurance covering City-owned properties for the annual premium of $134,796.00. The term of the policy is October 1, 2013 to October 1, 2014; and

WHEREAS, the annual premium is $134,796.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-05428 charging the amount of $134,796.00 to Account Number 4-01-23-210-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, this recommendation is made with the full concurrence of members of the Insurance Fund Commission; 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 to execute a contract with **The Chubb Group of Insurance Companies, 12 Vreeland Road, Florham Park, New Jersey 07932 through their agent-of-record Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, New Jersey 07632,** for insurance covering City-owned properties for the annual premium is 134,796.00. The term of the policy is October 1, 2013 to October 1, 2014.
2. The Chubb Group of Companies offers a continuation of the present property insurance coverage. This is a renewal from last year and will provide continuity of 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 and Banking, in order to qualify to do business within this State. New Jersey Statutes 40A:11-5(m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements thereof.

4. This cannot be described by written specifications because of the special nature of the services described in Paragraph 3

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of Fire Department the award of a contract to **Gen-El Safety Industrial Products, 961 Route 10 East, Suite 2M, Randolph, New Jersey 07869**, for the purchase of a Fit Testing System at a total cost of $9,643.50 under their State Contract #81301; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-05358, charging the amount of $9,643.50 to Account No. G-02-41-777-13, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #81301 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **Gen-El Safety Industrial Products, 961 Route 10 East, Suite 2M, Randolph, New Jersey 07869**, for the purchase of a Fit Testing System at a total cost of $9,643.50 under their State Contract #81301.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that the New Jersey Sustainable Energy Joint Meeting (NJSEM) has separated the electricity bids into three categories: 1) Fixed Price Multi Tariff Accounts, 2) Street Lighting and 3) **GLP** (General Lighting Power) Accounts. A separate auction has been done for each category; and

WHEREAS, the Business Administrator has requested authorization to award a General Lighting Power (GLP) contract to **South Jersey nergy, 1 North Whitehorse Pike, Hammonton, New Jersey 08037,** at a rate of $0.05722 per kilowatt hour for the period of the January 2014 meter read date through the June 2015 meter read date. This contract will be awarded for a period of 17 months to coincide with the expiration of the Multi-Tariff and Street Lighting accounts which were previously awarded in June 2013; and

WHEREAS, local units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of joining meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by **N.J.S.A.** 40A:65-14 et seq.; 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 contracts to that the City Council of the City of Elizabeth authorizes a **GLP** contract to **South Jersey Energy, 1 North Whitehorse Pike, Hammonton, N.J. 08037,** for the purchase of electricity, through the New Jersey Sustainable Energy Joint Meeting, for the period January, 2014 throughJune, 2015, at a rate of $0.05722 per kilowatt hour.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that proposals were solicited and received through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq. (local Unit Pay to Play Laws) for an upgrade to software in the Police Department for records management; and

WHEREAS, the Business Administrator concurs and recommends per the request of the Supervisor of Data Processing an award of a contract to **ARCHONIX SYSTEMS, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, NJ 08053** in the amount of $5,400.00 for the upgrade to XCAD Data Export within the Police Department for records management. **ARCHONIX SYSTEMS, LLC** is the sole vendor to request specifications and respond to our proposal; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-05088, charging the amount of $5,400.00 to Account No. 4-01-20-140-DPR-307, 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 award of a contract to the sole vendor **ARCHONIX SYSTEMS, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, NJ 08053** for the upgrade to XCAD Data Export within the Police Department for records management in the amount of $5,400.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Department of Public Works the award of a contract to **NORTHEAST AUTO & TRUCK PARTS, LLC/DIVISION OF CAPTIAL SUPPLY, INC., 976 Broadway, Bayonne, NJ 07002,** for the purchase of Automotive Parts & Accessories, including but not limited to Brakes, Filters and Spark Plugs, for the Department of Public Works for the period of December 25, 2013 through January 25, 2014 at a cost not to exceed $50,000.00 under their state contract #80071; 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, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #80071 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it ,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **NORTHEAST AUTO & TRUCK PARTS, LLC/DIVISION OF CAPTIAL SUPPLY, INC., 976 Broadway, Bayonne, NJ 07002,** for the purchase of Automotive Parts & Accessories including but not limited to Brakes, Filters and Spark Plugs, for the Department of Public Works for the period of December 25, 2013 through January 25, 2014 at a cost not to exceed $50,000.00 under their state contract #80071.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised and concurs with the recommendation of the Director of the Department of Public Works, the award of a contract to STORR TRACTOR COMPANY, 3191 Route 22, Branchburg, NJ 08876, for the purchase of a Power Broom with a Hydraulic Angle for the Department of Public Works in the amount of $10,000.00 under the Somerset County Co-Op contract #CC-9022-13 for the period of December 23, 2013 through February 12, 2014; 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 awards a contract to STORR TRACTOR COMPANY, 3191 Route 22, Branchburg, NJ **08876**, for the purchase of a Power Broom with a Hydraulic Angle for the Department of Public Works in the amount of $10,000.00 under the Somerset County Co-Op contract #CC-9022-13 for the period of December 23, 2013 through February 12, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to enter into an agreement to sign any and all necessary documents with KEAN University's School of Environmental and Sustainability Sciences, as the lead agency, to apply for and accept funds from The Hurricane Sandy Coastal Resiliency Competitive Grants Program from the United States Department of Interior and National Fish and Wildlife Foundation; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the the proper City Officials to sign any and all necessary documents with KEAN University's School of Environmental and Sustainability Sciences, as the lead agency, to apply for and accept funds from The Hurricane Sandy Coastal Resiliency Competitive Grants Program from the United States Department of Interior and National Fish and Wildlife Foundation.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova,	- 9
NEGATIVE:	None	

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that in accordance with the Congressionally awarded Solar Program, in early 2012, your Honorable Body adopted a resolution authorizing an award of a contract to Birdsall Engineering to perform a Phase 1 Roof Survey and Diagnostic to prepare for the installation of a photo voltaic system on municipal buildings; and

WHEREAS, since the Roof Survey and Diagnostic have been completed, it has become necessary to engage the services of an engineering consultant to prepare and issue technical bid specifications or an RFP and to serve as the City's project manager through project completion, which is expected to occur this year; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm **T&M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792,** to serve as the City's engineering consultant and to prepare and issue technical bid specifications or an RFP and to serve as the City's Project Manager through project completion, at a cost notto the City in an amount not to exceed $150,000.00 unless further authorized by City Council; and

WHEREAS, this contact is awarded 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, 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 5:30-11.10 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, the Local Public Contracts Law (**N.J.S.A**. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for AProfessional 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 **T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792,** to serve as the City's engineering consultant and to prepare and issue technical bid specifications or an RFP with respect to the above mentioned Solar Program and to serve as the City's Project Manager through project completion, at a cost not to the City in an amount not to exceed $150,000.00 unless further authorized by City Council.

2. This contract is awarded without competitive bidding as a AProfessional 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, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that on December 18, 2012 your Honorable Body authorized the award of a state contract, via Lease- Purchase Agreement, to Motorola Solutions, Inc. to provide all equipment for City of Elizabeth first responders under the Motorola Trunked Radio System Upgrade in compliance with the Federal Communications Commission mandate and for use on the State of New Jersey Interoperable Communications System; and

WHEREAS, in order to completely integrate all City operations, including Public Works and non first responders, on this system, authorization is requested for the proper City Officials to execute an Amendment to Schedule A of the Lease-Purchase Agreement between the City of Elizabeth and Motorola Solutions, Inc., at a cost not to exceed $424,454.24, which is payable in four annual payments; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the amendment to the Schedule A of the lease-purchase agreement with to include Public Works and other non-first responders, at a cost not to exceed $424,454.24, payable in four annual payments.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised on April 2013, your Honorable Body adopted resolution authorizing the Planning Board to review the NJDEP's Model Flood Damage Prevention Ordinance and said Ordinance was ultimately adopted by your Honorable Body; and

WHEREAS, it is in the City's best interests to continually review and make modifications to this Ordinance because this will allow the City to be eligible for Increased Cost of Compliance assistance and other federal mitigation aid. Additionally, the ordinance will further reinforce local enforcement of the state's requirements; and

WHEREAS, since there have been modifications by the NJDEP to the original Ordinance, authorization is requested to adopt a resolution authorizing the Planning Board to review the attached Flood Damage Prevention Ordinance and make recommendations to your Honorable Body for adoption; now, therefore be it

RESOLVED that the City Council of the City of Elizabeth authorizes the Planning Board to review the N.J. Department of Environmental Protection's Model Flood Damage Prevention Ordinance and make recommendations to City Council for adoption of same.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9
NEGATIVE:	None

BY CITY COUNCIL S A WHOLE:

WHEREAS, the Business Administrator has advised in January of 2013, the City issued a Request for Proposals, seeking qualified developers interested in redeveloping Midtown Parcels B and D. On or about February 15, 2013, the City received five (5) proposals; and

WHEREAS, thereafter City conducted a due diligence process to review the proposals that included meetings, design and financing discussions and site visits with the interested developers; and

WHEREAS, pursuant to the provisions of **N.J.S.A.**40A:12A-1 et seq., the Business Administrator recommends that the Joint Venture of FAROS Properties, LLC and MAS Development Group, LLC (or an entity to be formed) be designated as the Redeveloper of Midtown Parcels B and D consistent with the 2006 Midtown Elizabeth Redevelopment Plan; and

WHEREAS, pursuant to **N.J.S.A.** 40A:12-8, the Business Administrator requests authorization for the proper City Officials to negotiate and execute a Redevelopment Agreement with the joint venture of FAROS Properties, LLC and MAS Development Group, LLC (or entity to be formed) for the Midtown Parcels B and D; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth, pursuant to the provisions of **N.J.S.A.**40A:12A-1 et seq., designates the Joint Venture of FAROS Properties, LLC and MAS Development Group LLC (or entity to be formed) as the Redeveloper of Midtown Parcels B and D consistent with the 2006 Midtown Elizabeth Redevelopment Plan; and be it

FURTHER RESOLVED, that pursuant to **N.J.S.A.** 40A:12-8, the proper City Officials are authorized to negotiate and execute a Redevelopment Agreement with the joint venture of FAROS Properties, LLC and MAS Development Group, LLC/ (or entity to be formed) as Redeveloper of the Midtown Parcels B and D.

Councilwoman Perkins-Auguste stated that she did not receive the resume for the principals.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9
NEGATIVE:	None

BY CITY COUNCIL AS WHOLE:

WHEREAS, the listed disabled person deduction was disallowed in the amount of $250.00 for the Tax Year 2012 as a result of failure to file an Annual Post Tax Year Statement;

Block & Lot	Owner	Property Description	Amount
11-1185 A	Jones, Laurena	70-76 Parker Road	250.00

WHEREAS, the above mentioned disabled person is deceased and the necessary filing of the Annual Post Tax Year Statement is not required; and

WHEREAS, it remains on the tax records of the City of Elizabeth the sum of $250.00 as stated above; now, therefore, be it

RESOLVED, that the Tax Collector is hereby authorized to cancel the said disallowed disable person deductions in the amount of $250.00 for the Tax Year 2012.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested authorization to enter into an agreement between the City of Elizabeth, and the following municipalities; Town of Westfield; Township of Union; City of Linden; Borough of Roselle; Township of Hillside; City of Rahway; Township of Springfield; Township of Scotch Plains; and Township of Winfield; and

WHEREAS, each Municipality agrees to pay the City of Elizabeth, Department of Health and Human Services the sum of $70.00 per patient for services rendered at the Sexually Transmitted Disease (STB) clinic. The total sum shall be payable upon receipt of a report containing each confirmed case of sexually transmitted disease from each Municipality for the period January 1, 2014 to December 31, 2014; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute an Agreement between the City of Elizabeth and the following municipalities: Town of Westfield, Township of Union; City of Linden; Borough of Roselle; Township of Hillside; City of Rahway; Township of Springfield; Township of Scotch Plains; and Township of Winfield for services rendered at the Sexually Transmitted Disease (STB) Clinic in the amount of $70.00 per patient payable upon receipt of a report confirming said service for the period January 1, 2014 to December 31, 2014.

Which was adopted by the following vote:

AFFIRMATIVE:	~~Perkins-Auguste~~, Cuesta, Torres, ~~Gonzalez~~, Keenan, Cedeno, Gallman, Mazza and President Grova,	- X 7
NEGATIVE:	None	
EXCUSED:	Perkins-Auguste, Gonzalez	- 2

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested authorization to enter into an agreement between the City of Elizabeth, and the following municipalities: Town of Westfield, Township of Union; City of Linden; Borough of Roselle; Township of Hillside; City of Rahway; Township of Springfield; Township of Scotch Plains; and Township of Winfield; and

WHEREAS, each Municipality agrees to pay the City of Elizabeth, Department of Health and Human Services the sum not to exceed $90.00 per patient and an administration fee of $70.00 for services rendered at the Union County TB Reactor Clinic in Elizabeth. The total sum shall be payable upon receipt of a report of a confirmed medical services rendered at the Clinic; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute an Agreement between the City of Elizabeth, and the following municipalities: Town of Westfield; Township of Union, City of Linden; Borough of Roselle; Township of Hillside; City of Rahway; Township of Springfield; Township of Scotch Plains; and Township of Winfield for services rendered at the Union County TB Reactor Clinic in Elizabeth, in the amount of $90.00 per patient visit plus an administration fee of $70.00 for services rendered payable upon receipt of a report confirming medical services rendered at the Clinic for the period January 1, 2014 to December 31, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: [redacted] Cuesta, Torres, [redacted] Keenan, Cedeno, Gallman, Mazza and President Grova, - 7

NEGATIVE: None

EXCUSED: Perkins-Auguste, Gonzalez, - 2

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the **YWCA of Eastern Union County, 1131East Jersey Street, Elizabeth, New Jersey 07201,** has requested and has been granted CDBG Grant FY 2013-2014 funding in the amount of $21,250.00. Funds will provide for the purchase and installation of a natural gas powered generator that would maintain electrical service to the emergency shelter in the event of a power interruption; and

WHEREAS, the Director of Planning and Community Development has requested authorization for the proper City Officials to execute a contract in the amount of $21,250.00 with **YWCA of Eastern Union County, 1131 East Jersey Street, Elizabeth, New Jersey 07201,** for the purposes stated hereinabove; and

WHEREAS, the term of the agreement shall be from July 1, 2013 until June 30, 2014; and

WHEREAS, the YWCA of Eastern Union County has already received matching funds for the purchase of the generator, and is currently awaiting CDBG funding; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriate for this purpose and Certification No. 14-03577 charging the amount of $21,250.00 to Account No. T-22-56-014-PBF-443 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 Planning & Community Development has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be it

RESOLVED by the 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 the **YWCA of Eastern Union County, 1131 East Jersey Street, Elizabeth, New Jersey 07201** in the amount of $21,250.00 for the period of July 1, 2013 to June 30, 2014.

2. Quotations were not solicited because of the unique nature of the Contractor as a non-profit agency within the City of Elizabeth offering a comprehensive program for women suffering from domestic violence and substance abuse. The agency provides the only shelter for victims of domestic violence in Union County.

3. The nature of the service provided requires experience and extensive training in social work, psychology, counseling, guidance and experience and job training/ development and transitional housing.

4. The performance of the service cannot be reasonably described by written specifications as clients vary in terms of motivation, ability, aptitude, and achievement.

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

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 **222 Inslee Place, Elizabeth, NJ 07206,** as follows, pursuant to the recommendation of the Elizabeth Police Department:

along the South curb line of Inslee Place
beginning at a point 289' West of Second Street
and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

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 **952 Williams Street, Elizabeth, NJ 07201,** as follows, pursuant to the recommendation of the Elizabeth Police Department:

along the South curb line of Williams Street
beginning at a point 174' West of Reid Street
and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

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 spaces at premises commonly known as: **519 Franklin Street** and **229 South Second Street Elizabeth, New Jersey** in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the **Frank O. Mazza Civic Association, 630 Third Avenue, Elizabeth, New Jersey 07202,** has requested permission to conduct the St. Vito Procession through portions of the Peterstown Section of Elizabeth ending at the corner of High Street and Fourth Avenue, in front of the entrance of the Vallatese Club Hall. The Civic Association has also requested permission to hold a small street festival on High Street, beginning at Fourth Avenue and ending at the Elizabeth River. In addition, it is requesting that a portion of Fourth Avenue to be closed from Centre Street to South Seventh Street for the festival, which will include food, vendors, giveaways, music, "kiddie" rides, cultural performances and much more. The festival will be held on

Thursday, June 19, 2014
from 6:30 p.m. to 10:30 p.m.;

Friday, June 20, 2014
from 6:30 p.m. to 10:30 p.m.;

Saturday, June 21, 2014
from 6:30 p.m. to 10:30 p.m.; and

WHEREAS, this City Council deems it is in the best interest of the City of Elizabeth to grant said permission under the condition it complies with City Ordinances; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby grants permission for the **Frank O. Mazza Civic Association, 630 Third Avenue, Elizabeth, New Jersey 07202,** to conduct the St. Vito Procession through the streets of the Peterstown Section of the City of Elizabeth, ending at the corner of High Street and Fourth Avenue, and a small street festival, on High Street, beginning at Fourth Avenue; and be it

FURTHER RESOLVED and that the **Frank O. Mazza Civic Association, 630 Third Avenue, Elizabeth, New Jersey 07202,** is granted permission to hold a small street festival on High Street, beginning at Fourth Avenue and ending at the Elizabeth River. In addition, a portion of Fourth Avenue is to be closed from Centre Street to South Seventh Street. The Civic Association must comply with the requirements of (The Festival Ordinance) Chapter 12.56 of the Code of the City of Elizabeth, and (The Parade Ordinance) Chapter12.36 of the Code of the City of Elizabeth.

Councilman Cuesta stated that each of us work hard to give back to the community, such as the Frank O. Civic Association. He continued that the Association should be commended for all that they do for the community.

Council President Grova stated that at the Regular Conference he questioned if the administration fees are enough. He continued that Director Garlic will monitor the fees to see if they are enough to cover the costs.

Councilman Mazza stated that for over 3 ½ years, residents of South Street near St. Anthony's Church, have complained of a strong smell of gas. He continued that the gas company must take this issue by the "horn" and address this issue. He stated further that some of the people are afraid.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, [redacted] and President Grova, - X 8

NEGATIVE: None

EXCUSED: Mazza - 1

BY CITY COUNCIL AS A WHOLE: ~~January 7, 2014~~ ~~January 9, 2014~~

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:

ALLIED OIL CO.	4-01-31-447	$ 4,332.29
ELIZABETHTOWN GAS	4-01-31-446	$ 30,528,74
HESS CORPOR-GAS	4-01-31-446	$ 357.71
LANGUAGE LINE SERVICES	4-01-31-440	$ 521.68
NATIONAL TERMINAL, INC.	4-01-31-447	$ 6,991.54
NRG BUSINESS SOULTIONS	4-01-31-435	$ 609.46
PSE&G	4-07-55-500-SEW-351	$ 248,464.55
SPRINT	4-01-31-440	$ 4,241.83
VERIZON	4-01-31-440	$ 62,397.21
VERIZON CABS	4-01-31-440	$ 194.13
VERIZON WIRELESS	4-01-31-440	$ 13,858.01
VERIZON COMMUNICATIONS, INC.	4-01-31-440	$ 2,514.40

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova, - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Maria Agliata, 71; and

WHEREAS, she was born in Reggio Calabria, Italy. Maria lived in Carteret since 1975; and

WHEREAS, she was a member of St. Joseph's R.C. Church, Carteret, and also a member of the Ladies Club of Ribera, Elizabeth; and

WHEREAS, Maria is survived by her loving husband of 51 years, Peter Agliata; devoted children, Joseph, Maria, Dina and cherished grandson Peter, and sisters, many 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 Maria Agliata to her family and friends; now, 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.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Adelfa Dieguez, beloved wife of fifty-seven years to Genaro Dieguez, therefore, be it

RESOLVED, that we, the members of City Council of the City of Elizabeth, hereby express our sincere sorrow at her death and to her family over their great loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof be sent to her family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Maria Maselli, 84; and

WHEREAS, Maria was born in Vallata, Italy. In 1966, she came to and settled in Elizabeth, where she resided until moving to Old Bridge twelve years ago; and

WHEREAS, she was predeceased by her beloved husband, Giuseppe. She was a devoted and caring mother. She is survived by her loving children, Gemma, Arlie, Linda, Michael, Tina, Alex, Vito and adoring grandchildren; and

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Maria Maselli to her family and friends; now, 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.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent tragic death of Pierre Clervoyant, Jr., 34; and

WHEREAS, Pierre was a lifelong resident of the City of Elizabeth; and

WHEREAS, Pierre Clervoyant worked for the City of Elizabeth in the Department of Health and Human Services, Office on Aging. He provided assistance to residents and taxpayers in navigating through the Affordable Care Act; and

WHEREAS, Pierre was adored by the senior community. His personality was pleasant and agreeable. He was willing to help so many in their time of need; and

WHEREAS, Pierre was a liason for the senior population with Haitian Community and always strived to enrich their lives and keep them engaged in the Community; and

WHEREAS, he was a Counsellor for Volunteer's of America as a Residential Over-Night Boys Program; and

WHEREAS, Pierre is survived by his loving wife, Candice, and a six-year old daughter, Jaiden. He is also survivied by his mother, father, sister, brother, and ninety-two year old grandmother; now, therefore, be it

RESOLVED that we, the members of City Council of the City of Elizabeth hereby express our sincere sorrow at the death of Pierre Clervoyant, Jr.; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof be sent to his family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Amiri Baraka, 79; and

WHEREAS, he was born Everett LeRoy Jones in Newark, NJ; and

WHEREAS, he graduated high school with honors and received a scholarship to Rutgers University. He later transferred from Rutgers to Howard University and joined the Air Force; and

WHEREAS, no writer in the 1960's and 70's was more radical or polarizing than the former LeRoy Jones and no one did more to extend the political debates for the civil rights. He inspired at least one generation of poets, playwrights and musicians,and his immerson in spoken word, traditions and raw street language anticipated rap, hip-hop and slam poetry; and

WHEREAS, Amiri Baraka taught at Yale University and George Washington University and spent 20 years on the faculty of the State University of New York in Stonybrook. He received numerous grants and prizes, including a Guggenheim fellowship and a poetry award from the National Endownment for the Arts; and

WHEREAS, he married Sylvia Robinson, whose name became Bibi Anima Baraka and he had five children. He also had two children from a previous marriage; and

RESOLVED that we, the members of City Council of the City of Elizabeth hereby express our sincere sorrow at the death of writer, poet, Amiri Baraka; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof be sent to his family.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Mohammad Thomas, a lifelong Elizabeth resident, therefore, be it

RESOLVED, that we, the members of City Council of the City of Elizabeth, hereby express our sincere sorrow at his death and to his family over their great loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof be sent to his family.

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

Councilman Cuesta moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Grova declared City Council adjourned at 7:55 p.m.

APPROVED

MANNY GROVA, JR.
President of City Council

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