PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
January 28, 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 - ~~4~~ 6

ABSENT: Torres, Gonzalez, Keenan - 3

ALSO PRESENT: Jorge Estrada, Special Counsel

Councilwoman Perkins-Auguste delivered the opening prayer and led all present in the Pledge of Allegiance to the American Flag.

Council President Grova announced that prior to the Public Speaking portion of the meeting, Councilman Cuesta would like to present a commendation to Mr. John Moretti.

Councilman Cuesta thanked everyone for this opportunity to recognize Mr. Moretti. He continued that this is the rewarding part of being a councilman, recognizing individuals who make a difference in the lives of individuals. He stated further that he is recognizing a friend who retired after 35.5 years of service with the Board of Education.

Councilman Cuesta stated that Mr. Moretti earned the admiration of individuals through his dedication.

Councilman Cuesta recognized Board of Education Commissioners Trujillo, Neron and Rodriguez, former Councilman Edward Jackus, Ray and Angela Vella, Ezzio Bustamonte and Sylvia Munoz. He announced that he is thrilled to have the Board of Education members present tonight.

Councilman Cuesta stated that Mr. Moretti made a huge difference in the lives of people. He continued that it is not easy being a supervisor in a large school district. He stated further that Mr. Moretti is very compassionate and is the type of friend that everyone should have.

Council President Grova then read the commendation.

Council President Grova announced that the Zambujo family would like to take this time to thank the following people that were amazing in the quick response of Theresa Zambujo on November 2, 2013.

Council President Grova presented the Zambujo family with a memorial.

Ms. Maria Darassi thanked City Council for their condolences on the loss of her mother.

Council President Grova announced that Ethan Barnes, who is five years old, wanted to thank EMS Rescue 1 and Engine 6 who came to the aid of his great grandmother. He continued that he wants to announce why they are being recognized.

He then read the prepared statement.

PUBLIC SPEAKING

Ms. Maria Echeverria, 321 Westfield Avenue, spoke regarding an individual who is homeless and asked for information to aid this individual. She stated that she would bring the individual to a meeting.

Mr. Jose Rodriguez, Commissioner, Board of Education, 618 Jackson Avenue, spoke regarding Mr. Moretti. He stated that he, too, is an educator and thanked Mr. Moretti for his 35 plus years of service and his legacy will help him in his endeavors in teaching.

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. 4447**, 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.

This ordinance was adopted on its first reading at the meeting of City Council held on **January 14, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **January 20, 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 17, 2014, from the Business Administrator recommending the award of a contract to Snap On Industrial, Division of IDSC Holdings, LLC, 21755 Network Place, Chicago, IL., for the purchase of industrial and commercial equipment and supplies, under the Somerset County Co-Op, for the period of December 27, 2013 through December 20, 2014, at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:
Letter dated January 17, 2014, from the Business Administrator recommending the award of a contract to Saf-Gard Safety Shoe Company, 1749 Grey Mill Dr., Pittsburgh, PA, for safety boots for the Public Works Department laborers, Recreation Department laborers and Health Department dog wardens, under the Morris County Co-Op, for the period of January 1, 2014 through December 31, 2014, at a total cost not to exceed $25,000.00.
Which was received.

By the Clerk:

Letter dated January 17, 2014, from the Business Administrator recommending the award of a contract to FDCJ, LLC., t/a Flemington Dodge Chrysler, 204 Route 202 & 31 North, Flemington, NJ, for auto parts and accessories for light duty vehicles for various departments for the period of January 13, 2014 through June 25, 2014, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:

Letter dated January 17, 2014, from the Business Administrator recommending the award of a contract to Triangle Communications, 2362 Waldheim Avenue, Scotch Plains, NJ, for the purchase of computer parts for various vehicles, under the Morris County Co-Op, for the period of January 1, 2014 through December 31, 2014, at a cost not to exceed $35,000.00.
Which was received.

By the Clerk:

Letter dated January 17, 2014, from the Business Administrator recommending the award of a contract to SHI International, 290 Davidson Avenue, Somerset, NJ, for the purchase of IA Pro Software and Training for the Internal Affairs Division of the Police Department at a total cost of $19,344.71.
Which was received.

By the Clerk:

Letter dated January 21, 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 21, 2014, from the Chief Financial Officer advising that, in compliance with the SFY 2014 Appropriations Act, your Honorable Body approve all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:

Letter dated January 9, 2014, from the Acting Director of Planning and Community Development requesting authorization for the proper City officials to reprogram the unexpended balances to the Community Development Block Grant holding account as indicated on the attached Schedule A.
Which was received.

By the Clerk:

Letter dated January 10, 2014, from the Acting Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to postpone the second mortgage held by the City through the Elizabeth Home Improvement Program on the property located at 161 Race Street in the amount of $23,934.00.
Which was received.

By the Clerk:

Letter dated January 10, 2014, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald to provide professional engineering services in connection with the review of sewer applications at no charge to the City for said services.
Which was received.

By the Clerk:

Letter dated January 10, 2014, from the Director of Public Works requesting authorization to have liens placed against the properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of $16,406.01.
Which was received.

[redacted]

By the Clerk:

Letter dated January 13, 2014, from the Director of Public Works requesting Contract Amendment No. 1- Final with T & M Associates to provide professional engineering services in connection with traffic signals design and construction inspection at Broad Street and West Jersey Street and traffic light modifications at Broad Street and Elizabeth Avenue at a cost not to exceed $79,500.00, specifically to redesign the traffic signal at the northwest corner of Broad Street and West Jersey Street to avoid conflicts with the property owner at an additional cost not to exceed $3,900.00, for a total contract amount of $83,400.00.
Which was received.

By the Clerk:

Letter dated January 14, 2014, from the Director of Public Works recommending the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ, to provide environmental consulting engineering services for Veterans Memorial Waterfront Park at a cost not to exceed $98,350.00; a portion of these costs may be reimbursed by FEMA.
Which was received.

By the Clerk:

Letter dated January 15, 2014, from the Director of Public Works requesting authorization to renew the contract with Regional Industries, LLC, 800 East Grand Street, Elizabeth, NJ, for solid waste collection, recycling and disposal for a one year period commencing January 1, 2014 to December 31, 2014 at a cost of $4,225,000.00, for the second year of the five (5) year contract.
Which was received.

By the Clerk:

Letter dated January 17, 2014, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ, to provide Phase I of a sub-surface geotechnical and environmental investigation to reduce flooding in the area around the intersection of Trumbull Street and Sixth Street on a lump sum basis at a cost not to exceed $21,000.00 plus reimbursables.
Which was received.

By the Clerk:

Letter dated January 21, 2014, from the Director of Public Works recommending the award of a contract to Johnson, Mirmiran & Thompson, Inc., 1200 Lenox Drive, Suite 101, Trenton, NJ, to provide design and engineering services during construction on a lump sum and time and materials basis at a cost not to exceed $432,300.00 plus reimbursables .
Which was received.

By the Clerk:

Letter dated January 16, 2014, from the Police Director requesting the establishment of handicapped parking spaces in front of the following premises:
529 Green Street (personalized); 615 Adams Avenue, 1st Floor (personalized); 813 Martin Street; 147 Inslee Place.
Which was received.

By the Clerk:

Letter dated December 2, 2013, from Mr. Frank Golon, PennAve Urban Renewal, LLC, requesting an Encroachment Permit for the installation of a construction office trailer, storage trailers, tower crane and perimeter site security fence within the right-of-way of Pennsylvania Avenue in connection with the construction of a new 100-unit apartment building.
Which was received.

[redacted]

Authorize the award of a contract to FDCJ, LLC, t/a Flemington Dodge Chrysler, 204 Routes 202 and 31 North, Flemington, N.J., for auto parts and accessories for light duty vehicles for various departments, for the period January 13, 2014 through June 25, 2014, at a cost not to exceed $50,000.00.

Authorize the award of a contract to Triangle Communications, 2362 Waldheim Avenue, Scotch Plains, N.J., for the purchase of computer parts for various vehicles for the Department of Public Works, under the Morris County Co-Op for the period January 1, 2014 through December 31, 2014, at a cost not to exceed $35,000.00.

Authorize the award of a contract to SHI International, 290 Davidson Avenue, Somerset, N.J., for the purchase of software and training for the Internal Affairs Division of the Police Department at a total cost of $19,344.71.

Authorize the proper City officials to reprogram and transfer unexpended balances to the Community Development Block Grant holding account, as listed on Schedule A on file in the City Clerk's Office, in the amount of $455.83.

Authorize the postponement of the City's second mortgage held on the property located at 161 Race Street, in the amount of $23,934.00

Authorize the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide professional engineering services in connection with the review of sewer applications at no cost to City for said service.

Authorize the award of a contract to Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, N.J., to provide Phase I of a sub-surface geotechnical and environmental investigation to reduce flooding around the intersection of Trumbull Street and Sixth Street, at a cost not to exceed $21,000.00, plus reimbursables.

Establish liens for the removal and disposal of debris on properties listed on Schedule A on file in the City Clerk's Office in the total amount of $16,406.01.

Authorize Contract Amendment No. 1- Final to the contract awarded to T & M Associates in connection with traffic signal design and construction inspection at Broad Street and West Jersey Street and traffic light modifications at Broad Street and Elizabeth Avenue, specifically to redesign traffic signals at Broad Street and West Jersey Street, at an additional cost not to exceed $3,900.00.

Authorize the award of a contract to T & M Associates, 11 Tindall Road, Middleton, N.J., to provide environmental consulting engineering services for Veterans Memorial Park at a cost not to exceed $98,350.00, a portion of said costs may be reimbursed by FEMA.

Authorize the renewal of the contract with Regional Industries, LLC., 800 East Grand Street, Elizabeth, to provide for the collection, hauling and disposal of garbage, trash and recyclable materials throughout the City for the second year of the five year contract, commencing January 1, 2014 to December 31, 2014, in the amount of $4,225,000.00, in accordance with the terms and schedule of prices submitted at the time of bid.

Authorize the award of a contract to Johnson, Mirmiran and Thompson, Inc., 1200 Lenox Drive, Trenton, N.J., to provide design and engineering services in connection with the construction of the South Street Flood Control Project, at a cost not to exceed $432,300.00, plus reimbursables.

[redacted]

By the Clerk:
Letter dated January 15, 2014, from Mr. Dodlay Zamor, 111 Race Street, Apt 2, Elizabeth, NJ, requesting to be reappointed as Constable for a term of three (3) years. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Minutes: Fair Rental Housing Board meeting held November 13, 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. 4448** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO PENNAVE URBAN RENEWAL, LLC., 300 WILSON AVENUE, NEWARK, N.J. FOR OCCUPYING THE PUBLI C RIGHT-OF-WAY AT 715-733 PENNSYLVANIA AVENUE.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Cedeno, Mazza, Gallman, and President Grova, - 6

NEGATIVE: None

Council President Grova announced that the next business in order would be the introduction of **Ordinance No. 4449** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR VIRGINIA HERNANDEZ, 615 ADAMS AVENUE, ELIZABETH, NEW JERSEY 07201.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Cedeno, Mazza, Gallman, and President Grova, - 6

NEGATIVE: None

Council President Grova announced that the next business in order would be the introduction of **Ordinance No. 4450** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR IRAKLIS A. VOGIATZIDAKIS, 529 GREEN STREET, ELIZABETH, NEW JERSEY 07202

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Cedeno, Mazza, Gallman, and President Grova, - 6

NEGATIVE: None

Council President Grova announced that public notice will be published fixing Tuesday evening, February 11, 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 Nos. 4448, 4449 and 4450, 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. 4447** , which was seconded by Councilman Cuesta.

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.

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

SECTION 1. That Chapter 10.08.010, of the Code of the City of Elizabeth be amended to designate a four-way stop intersection at:

Myrtle Street and Grier Avenue.
Stop sign warning should be installed,
one hundred (100) feet before the stop sign.

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

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

SECTION 4. The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law and upon approval by the Commissioner of the State Department of Transportation as 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 **January 14, 2014.**

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 20, 2014.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Cedeno, Mazza, Gallman, and President Grova, - 6

NEGATIVE: None

NEW BUSINESS

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Public Works Department the award of a contract to **Snap On Industrial, Div. of IDSC Holdings, LLC, 21755 Network Pl, Chicago, IL 60673,** to purchase Industrial and Commercial Equipment and Supplies at a cost not to exceed $100,000.00, under the Somerset County Co-Op contract #CC-0065-12 for the period of December 27, 2013 through December 20, 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 +f Elizabeth hereby awards a contract to **Snap On Industrial, Div. of IDSC Holdings, LLC, 21755 Network Pl, Chicago, IL 60673,** to purchase Industrial and Commercial Equipment and Supplies at a cost not to exceed $100,000.00, under the Somerset County Co-Op contract #CC-0065-12 for the period of December 27, 2013 through December 20, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Kocher,~~ Cedeno, Gallman, Mazza and President Grova - ~~8~~ 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **Saf-Gard Safety Shoe Company, 1749 Grey Mill Dr., Pittsburg, PA, 15241,** for Safety Boots for the Public Works Department laborers, Recreation Department laborers and Health Department dog wardens at a total cost not to exceed $25,000.00 under the Morris County Co-Op Contract #22 for the period of January 1, 2014 through December 31, 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 +f Elizabeth hereby awards a contract to **Grey Mill Dr., Pittsburg, PA, 15241,** for Safety Boots for the Public Works Department laborers, Recreation Department laborers and Health Department dog wardens at a total cost not to exceed $25,000.00 under the Morris County Co-Op Contract #22 for the period of January 1, 2014 through December 31, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Keenan~~, Cedeno, Gallman, Mazza and President Grova, - X 6

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 **FDCJ, LLC., t/a Flemington Dodge Chrysler, 204 Route 202 & 31 North, Flemington, NJ 08822,** for Auto Parts & Accessories for Light Duty Vehicles for Various Departments for the period of January 13, 2014 through June 25, 2014 at a cost not to exceed $50,000.00 under their state contract #79599; 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 #79599 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 **FDCJ, LLC., t/a Flemington Dodge Chrysler, 204 Route 202 & 31 North, Flemington, NJ 08822,** for Auto Parts & Accessories for Light Duty Vehicles for Various Departments for the period of January 13, 2014 through June 25, 2014 at a cost not to exceed $50,000.00 under their state contract #79599 .

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Koonan,~~ Cedeno, Gallman, Mazza, and President Grova - 6

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 **Triangle Communications, 2362 Waldheim Ave., Scotch Plains, NJ 07076,** for the purchase of computer parts for various vehicles parts at a cost not to exceed $35,000.00 for the period of January 1, 2014 through December 31, 2014 under the Morris County Co-Op Contract #41; 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. **Triangle Communications, 2362 Waldheim Ave., Scotch Plains, NJ 07076,** for the purchase of computer parts for various vehicle parts at a cost not to exceed $35,000.00 for the period of January 1, 2014 through December 31, 2014 under the Morris County Co-Op Contract #41.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Kochan~~, Cedeno, Gallman, Mazza and President Grova - 8 6

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 Police Department the award of a contract to **SHI International, 290 Davidson Avenue, Somerset, NJ 08873,** for the purchase of IA Pro Software and Training for the Internal Affairs Division of the Police Department at a total cost of $19,344.71 under their State Contract #77560. The software will provide a tracking system that will alert the Internal Affairs Division to any patterns of complaints or inappropriate behavior by Police Department employees; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-05801, charging the amount of $19,344.71 to Account No. 4-21-56-129, 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 #77560 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 **SHI International, 290 Davidson Avenue, Somerset, NJ 08873,** for the purchase of IA Pro Software and Training for the Internal Affairs Division of the Police Department at a total cost of $19,344.71 under their State Contract #77560. The software will provide a tracking system that will alert the Internal Affairs Division to any patterns of complaints or inappropriate behavior by Police Department employees under their State Contract #77560.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Koonan~~, Cedeno, Gallman, Mazza and President Grova, - ~~8~~ 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning & Community Development has requested authorization for the proper City Officials to reprogram the unexpended balances to the Community Development Block Grant holding account as indicated on the attached **Schedule A** made a part hereof; and

WHEREAS, the funds will be used for future CDBG projects as needed; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to reprogram unexpended balances to the Community Development Block Grant holding account as indicated on the attached **Schedule A** made a part hereof.

Schedule A

Unexpended funds to be reprogrammed and transferred to the holding account:

Certificate No.	Agency	Account No.	Balance
13-01705	Groundwork	T-22-56-013-PBF-371	$120.00
13-00077	Rutgers 4-H Program	T-22-56-012-PBS-334	$228.67
11-03590	EDC - 1st Street Project	T-22-56-011-EDC-250	$ .13
11-07496	Groundwork	T-22-56-010-PBF-184	$ .03
13-01735	Josephine's Place	T-22-56-013-PBS-339	$107.00

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Kosner~~, Cedeno, Gallman, Mazza and President Grova, - X 6

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 execute any and all documents necessary and appropriate to postpone the City's Second Mortgage an **161 Race Street, Elizabeth, New Jersey 07202** through the Elizabeth Home Improvement Program. The Director states that based upon review of a recent appraisal, there is sufficient equity in the property to protect the City's interests should its loan be postponed behind the proposed new mortgage. Postponements of this sort are permitted under this Program and under these circumstances and the Director recommends that the postponement should be authorized; and

WHEREAS, the City now holds a Second Mortgage on **161 Race Street , Elizabeth New Jersey** and will continue to do so should this postponement be authorized.

Name of Program:	Owner Occupied Basic Program
Amount of EHIP loan:	**$23,934.00**
Name/Address of owner:	**Carlos & Manuella Ponce** **161 Race Street, Elizabeth, NJ 07202**
Property in Question:	**161 Race Street, Elizabeth, NJ 07202**
Original First Mortgage:	**$94,000.00**
Amount due as of this date:	**$74,445.47**
Proposed new loan:	**$75,350.00**
Lender:	**Bank of America**
Reason:	**Mortgagor is refinancing to receive a lower interest rate.**

WHEREAS, the Director of the Department of Planning & Community Development advises that such a postponement be authorized to allow the owner to refinance their existing first mortgage to obtain a lower interest rate; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the postponement of the City of Elizabeth's mortgage on property located at **161 Race Street, Elizabeth, NJ 07202, New Jersey** to Bank of America mortgage in the amount of $75,350.00.

FURTHER RESOLVED that the City Council of the City of Elizabeth authorizes the Mayor and the Municipal Clerk to execute any and all documents in order to postponement of said mortgage.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Keenan~~, Cedeno, Gallman, Mazza and President Grova, - ~~8~~ 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 8, 2013, the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **Hatch Mott MacDonald, 111 Wood Avenue, South, Iselin, NJ 08830-4112,** to be qualified to provide the City of Elizabeth with civil engineering services in connection with the review of sewer applications as per their proposal dated March 8, 2013. More specifically, Hatch Mott MacDonald will with its knowledge and expertise to review development applications relating to the City's sewer system and its capacity to support the applicant's project. The contract shall be for a one year term; 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; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ 08830-4112** to provide the City of Elizabeth with civil engineering services in connection with the review of sewer applications as per their proposal dated March 8, 2013. More specifically, Hatch Mott MacDonald will review development applications related to the City's sewer system and its capacity to support the applicant's project. The contract shall be for a one year term. There is no charge to the City for these services since these services are to be paid by the applicants through the escrow they each establish with the City; 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 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, the Local Public Contracts Law (**N.J.S.A**. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for A 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 firm of **Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ 08830-4112,** to provide the City of Elizabeth with civil engineering services in connection with the review of sewer applications as per their proposal dated March 8, 2013. More specifically, Hatch Mott MacDonald will review development applications expertise related to the City's sewer system and its capacity to support the applicant's project. The contract shall be for a one year term. There is no charge to the City for these services.

2. This contract is awarded without competitive bidding as a 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, Cuesta, ~~Torres, Gonzalez, Kochan~~ Cedeno, Gallman, Mazza and President Grova - X 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 8, 2013, the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **Hatch Mott MacDonald, 111 Wood Avenue, South, Iselin, NJ 08830-4112,** to be qualified to provide the City of Elizabeth with design and engineering services in connection with Trumbull Street Flood Control Project as per their proposal dated January 7, 2014; and

WHEREAS, the overall project generally consists of design of an approximately one million gallon subsurface stormwater storage facility located on a property proposed to be acquired at the intersection of Trumbull Street and Sixth Street. Stormwater runoff from the intersection will be diverted to the storage facility by inlets located in the right-of-way. The storage facility will be equipped with a dewatering pump station to return the flow to the existing combined sewer system after a rain event. The site restoration will consist of green infrastructure elements; and

WHEREAS, the initial scope of work (Phase1) will include sub-surface geotechnical and environmental investigation. Based on positive results from Phase I, Phase II will include a property survey of the area, design of the storage facility and pump station, preparation of a NJDEP Treatment Works Approval application, all New Jersey Environmental Infrastructure Trust documents and bidding phase services. Subsequently, Phase III will consist of construction phase engineering services; and

WHEREAS, the goal of the project will be to reduce flooding in the area around the intersection of Trumbull Street and Sixth Street; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-06157 , charging the amount of $21,000.00 to Account No. X-08-55-045-034, 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 and the contract itself must be available for public inspections; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **Hatch Mott MacDonald, 111 Wood**

Avenue South, Iselin, NJ 08830-4112, to provide (Phase I) a sub-surface geotechnical and environmental investigation on a lump sum basis at a cost not to exceed $21,000.00 plus reimbursables for the Project.

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 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, the Local Public Contracts Law (**N.J.S.A**. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for A 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 firm of **Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ 08830-4112,** to provide the City of Elizabeth with a (Phase I)a sub-surface geotechnical and environmental investigation on a lump sum basis at a cost not to exceed $21,000.00 plus reimbursables for the Project.
2. This contract is awarded without competitive bidding as a 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 Gallman announced that he is elated to see this on the agenda and thanked everyone who was instrumental in bringing this to fruition.

Council President Grova thanked the Administration for taking the initiative in the steps necessary to address this issue.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Koonce~~, Cedeno, Gallman, Mazza and President Grova - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Department of Public Works has caused certain **clean 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 listed 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 of clean up and removal of debris as shown for the properties 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.

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

Certificate Invoice January 10, 2014 Total Amount: $16,406.01.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~[illegible]~~, Cedeno, Gallman, Mazza and President Grova, - X6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on January 25, 2011, your Honorable Body approved a resolution authorizing the City of Elizabeth to award a contract in the amount of $79,500.00 to **T& M Associates, Eleven Tindal Road, Middletown, NJ 07748-2792**, to provide professional engineering services at a cost not to exceed $79,500.00 in connection with traffic signals design and construction inspection at the intersections of Broad Street and West Jersey Street and traffic signal modifications at the intersection of Broad Street and Elizabeth Avenue; and

WHEREAS, during the course of construction it became necessary to redesign the traffic signal at the Northwest corner of Broad Street a nd West Jersey Street, (Shoppers World) to avoid conflicts with the property owner. This required the preparation of a revised design at that corner eliminating any potential structural issue with the building walls, basement and sidewalk; and

WHEREAS, the Director of the Department of Public Works has requested authorization for a Contract Amendment No. 1 Final with **T & M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** for the additional cost of $3,900.00 for the traffic signals redesign and construction at the intersection of Broad Street and Elizabeth Avenue for a total contract amount of $83,400.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds Certificate No. 14-06151 charging the amount of $3,900.00 to Account No. X-04-55-999-X34-001 of the Municipal Budget is on file in the Office of the City Clerk; and

RESOLVED that the City Council of the City of Elizabeth authorizes Contract Amendment No. 1 to the contract awarded to **T & M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to provide professional engineering services at an additional cost not to exceed $3,900.00 for traffic signals redesign and construction at the intersections of Broad Street and Elizabeth Avenue, for a total contract amount of $83,400.00.

Which was adopted by the following vote:

AFFIRMATIVE: ~~[illegible]~~, Cuesta, ~~[illegible]~~, ~~[illegible]~~, ~~[illegible]~~, Cedeno, Gallman, Mazza and President Grova, - ~~8~~ 5

NEGATIVE: Perkins-Auguste - 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on May 29, 2013 the Director of the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **T&M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792,** qualified to provide the City of Elizabeth with Environmental Engineering Services; 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 provide the City of Elizabeth with environmental consulting engineering services; and

WHEREAS, the reconstruction of Veterans Memorial Waterfront Park requires the installation of new flag poles. During the excavation of the new footings, historic fill was discovered at the site. This material was visually inspected and found not to be suitable for reuse or backfill; and

WHEREAS, the purpose of this contract is to provide the necessary environmental engineering and consulting services to satisfy the New Jersey Site Remediation Reform Act, Technical Requirements for Site Remediation and the Administrative Requirements for the Remediation of Contaminated Sites. The work will be completed under the Licensed Site Remediation Professional (LSRP), Program for the areas of concern at the Site; and

WHEREAS, the scope of work consist of preparation of a preliminary assessment, preparation of LSRP retention terms, payment of NJDEP fees, preparation of an initial receptor evaluation, well search and public notification. The contract also includes site investigation, remedial investigation to characterize the extent of the historic fill at the site resting and disposal of approximately 500 tons of impacted and unsuitable materials; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to provide environmental consulting engineering services at a cost not to exceed $98,350.00 for Veterans Memorial

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 Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-06156, charging the amount of $98,350.00 to Account No. X-04-55-999-X57-001 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 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 provide environmental consulting engineering services at a cost not to exceed $98.350.00 at the Veterans Memorial Waterfront Park. A portion of these costs may be reimbursed by FEMA.

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~~, ~~Koenig~~, Cedeno, Gallman, Mazza and President Grova - X6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on December 26, 2012, your Honorable Body adopted a resolution awarding a contract to **Regional Industries, LLC, 800 East Grand Street, Elizabeth, New Jersey 07201,** for the collection, hauling and disposal of garbage, trash (Municipal Waste Type 10, Bulk Waste Type 13B), and recyclable materials on separate vehicles throughout the entire City, including the Housing Authority, all private and public schools and Board of Education buildings for a five (5) year period commencing January 1, 2013 in the amount of $21,125,000.00 to be renewed every year thereafter in accordance with schedule of prices submitted at time of bid; and

WHEREAS, authorization is requested for the renewal of the contract with **Regional Industries, LLC**, for a one (1) year period commencing January 1, 2014 to December 31, 2014 at a cost of $4,225,000.00, **for the second year of the five (5) year contract;** 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 **Regional Industries, LLC**; and

WHEREAS, the contract will be renewed every year in accordance with the Schedule of prices submitted with the bid and subject to the issuance of a Certificate of Availability of Funds by the Chief Financial Officer; and

WHEREAS, pursuant to **N.J.A.C.** 5:30-14.5 (c) 3, contracts awarded for a period of upto twelve (12) months not coinciding with the local units fiscal year, shall have funds certified and charged to the two respective years appropriations as required by **N.J.A.C.** 5:30-14.5(c)3.ii; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-06136, charging the amount of $ 4,225,000.00 to Account No. 4-01-28-305-GAR, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Chief Financial Officer will certify additional funds prior to the renewal of the contract for years two, three, four and five; now therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract with **REGIONAL INDUSTRIES, LC, 800 East Grand Street, Elizabeth, New Jersey 07201,** the lowest responsible bidder for the collection hauling, and disposal of garbage, trash (Municipal Waste Type 10, Bulk Waste Type 13B) and recyclable materials on separate vehicles throughout the entire City, including the Housing Authority buildings, all private and public schools and Board of Education facilities Proposal 5 for a five (5) year period commencing January 1, 2014 to December 31, 2014 in the amount of $21,125,000.00 for a cost per year of $ 4,225,000.00, **for the second year of the five (5) year contract,** to be renewed every year thereafter in accordance with the schedule of prices submitted at time of bid. The City will continue to pick-up and recycle metal and appliances (Bulk Waste Type 13A).

Councilman Cedeno queried to if the language to keep Elizabeth a priority is being added to the contract.

Council President Grova responded that he believes that it is too late to change the contract.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Koenan~~, Cedeno, Gallman, Mazza and President Grova, - ~~8~~ 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on March 8, 2013 the Director of the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **Johnson, Mirmiran & Thompson, Inc.,** to be qualified to provide the City of Elizabeth with design and construction phase engineering services in connection with the South Street Flood Control Project as per the proposal dated January 17, 2014; and

WHEREAS, Johnson, Mirmiran & Thompson, Inc., performed a feasibility study of the area around South Street and Fourth Avenue in 2013. The recommendations of the study called for upgrades to the existing South Street Pumping Station, sewer separation, combined sewer repairs and ponding area restoration to help eliminate flooding on Fourth Avenue and the surrounding area; and

WHEREAS, the scope of work consists of the design of pumping station upgrades including new pumps, electrical system and controls and a backup generator, repairs to the existing combined sewer; installation of separate storm sewers and inlets at various locations including South Spring Street; and ponding area restoration. The contract consists of two phases. The first phase of the contract consists of subsurface geotechnical and environmental investigations, detailed design, permitting, preparation of a NJDEP Treatment Works approval application, all New Jersey Environmental Infrastructure trust documents and bidding services at a lump sum fee of $194,100.00. The second phase consists of engineering and field services during construction including conducting meetings, review of submittals and shop drawings, full time inspection, preparation of record drawings and administrative services at a time and materials basis not to exceed $238,200.00; and

WHEREAS, the goal of the project will be to reduce flooding in the area around Fourth Avenue between South Spring Street and John Street; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm **Johnson, Mirmiran & Thompson, Inc., 1200 Lenox Drive, Suite 101, Trenton, NJ 08648,** to provide the City of Elizabeth with environmental consulting engineering services to provide design and engineering services curing construction on a lump sum and time and materials basis at a cost not to exceed $432,300.00 plus reimbursables for the Project; 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 Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.14006158, charging the amount of $ 432,300.00 to Account No. X-08-55-044-034 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 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 the firm **Johnson, Mirmiran & Thompson, Inc., 1200 Lenox Drive, Suite 101, Trenton, NJ 08648,** to provide the City of Elizabeth with environmental consulting engineering services to provide design and engineering services curing construction on a lump sum and time and materials basis at a cost not to exceed $432,300.00 plus reimbursables for the Project.

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, - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has requested authorization for the proper City Officials to enter into a Access Agreement for the property known as 426-518 Atlantic Street (Block 5, Lot 40B) with **Public Service Electric and Gas Company, 80 Park Place Plaza, Newark, New Jersey 07102,** to complete the geotechnical investigation for the design of repairs to their transmission line on the property; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into a Access Agreement for the property known as at 426-518 Atlantic Street (Block 5, Lot 40B) with **Public Service Electric and Gas Company, 80 Park Place Plaza, Newark, New Jersey 07102,** to complete the geotechnical investigation for the design of repairs to their transmission line on the property.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Keenan~~, Cedeno, Gallman, Mazza and President Grova, - ~~8~~ 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that pursuant to the provisions of N.J.S.A. 40A:9-120, City Council of the City of Elizabeth does hereby reappoint, **Mr. Dodlay Zamor, 111 Race Street, Elizabeth, New Jersey,** to serve as a Constable for a term of three (3) years effective from date of appointment; and be it

FURTHER RESOLVED that the said **Mr. Dodlay Zamor**, shall deliver to the City Clerk within thirty (30) days of the date of appointment a surety bond in the sum of $1,000.00 in order to insure the faithful performance of his duties and that upon failure to deliver such surety bond within the time stated herein, said office shall be deemed vacant, pursuant to N.J.S.A. 40A:9-120.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Keenan,~~ Cedeno, Gallman, Mazza and President Grova, - X 6.

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, in the beginning of 1985 Black Clergy and Black Educators called the community together to celebrate the life of the Reverend Dr. Martin Luther King, Jr; and

WHEREAS, as the years went on plans were developed to build a more permanent structure which the community could use to salute Dr. Martin Luther King, Jr., and his commitment to mankind; and

WHEREAS, Congress declared the third Monday in January, 1986, the first National Holiday honoring the social change brought to this nation by the struggle of the Reverend Dr. Martin Luther King, Jr; and

WHEREAS, a monument was presented to the City of Elizabeth, on January 20, 1996, which was built by the African-American community in Elizabeth, and which was the first monument to be placed on Freedom Trail in Scott Park; and

WHEREAS, Dr. Martin Luther King, Jr., was the first African-American so honored in Elizabeth; and

WHEREAS, the Reverend Dr. Martin Luther King, Jr's quest for justice and righteousness served as a value system for all citizens by leading the struggle for equality, justice, peace, and commitment to our fellow-man; and

WHEREAS, the National holiday expresses our gratitude and appreciation for his achievements and contributions to the country and our community; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth, New Jersey, recognizes January 20, 2014 as the Twenty-Ninth Commemorative Anniversary, as a National Holiday, of the life of Reverend Dr. Martin Luther King, Jr., Shiloh Baptist Church, 95 Murray Street, Elizabeth, New Jersey; and be it

FURTHER RESOLVED that a copy of this resolution be spread in full upon the minutes of the City Council meeting held on January 28, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Keenan~~, Cedeno, Gallman, Mazza and President Grova, - X 6.

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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, Solnzano, Koenan~~, Cedeno, Gallman, Mazza and President Grova, - ~~8~~ 6

NEGATIVE: None

January 28, 2014

BY COUNCIL AS A WHOLE:

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

ORGANIZATION	AG	B.L.	R.L.	DATE
Auxiliary of Trinitas Regional			5327	1-24-14
Rotary Club of Elizabeth, NJ			5328	2-11-14

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Koenig~~, Cedeno, Gallman, Mazza, and President Grova, - X 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that on January 27, 2014 Selma Irene Grady will be celebrating her 80th birthday; and

WHEREAS, Selma was born on January 27, 1934 in Snow Hill, North Carolina. She was the eldest of fifteen children. She attended the Wayne County School System in North Carolina; and

WHEREAS, in 1956 she moved to the Elizabethport area of Elizabeth, New Jersey. She was affectionately known to the community as "Ma Granny"; and

WHEREAS, in 1952 she married Raymond Grady. They are the proud parents of five children, two of the children sadly passed away. They are the loving grandparents of eight grandchildren and seventeen great grandchildren; and

WHEREAS, Selma was a domestic worker. She also was a home health aide until she retired; and

RESOLVED that the City Council of the City of Elizabeth extends its warmest congratulations to Selma Irene Grady as she celebrates her 80th birthday with her relatives and friends, and wishes her health, happiness and continued longevity; and be it

FURTHER RESOLVED that a copy of this resolution be presented to Selma Irene Grady as a sincere token of this governing body's best wishes.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Koenig,~~ Cedeno, Gallman, Mazza and President Grova, - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to recognize and commend John A. Moretti for his dedication as Supervisor of the Special Services Department and as an employee in the Special Needs Recreational/Instructional Program for the Elizabeth School District; and

WHEREAS, during his 35.5 years as an educator in the City's school district, John A. Moretti dedicated his life to serving the needs of special education students. Throughout his impeccable career, Mr. Moretti worked in the elementary middle school, high school and central administration settings before his most recent retirement on December 1, 2013; and

WHEREAS, Mr. Moretti has equally dedicated his years of service as an employee in the Special Needs Recreational/Instructional Program. This program is a collaborative effort that has existed for over three decades between the Department of Recreation and the Board of Education and was started by a small group of concerned parents; and

WHEREAS, Mr. Moretti with the assistance of a small group of volunteers was recognized for enabling the special needs students and gave them the opportunity to participate in the New Jersey Special Olympics, which has now become a yearly event; and

WHEREAS, Mr. Moretti is a dedicated husband and wonderful father. He is a friend to many in the City of Elizabeth; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth commends John A. Moretti for his 35.5 years of dedication as Supervisor of the Special Services Department, for his equally dedicated years of services as an employee of the Special Needs Recreational/Instructional Program at the Elizabeth Board of Education and for his assistance in enabling special needs students the opportunity to participate in the New Jersey Special Olympics and wishes him continued success in his future endeavors; and be it

FURTHER RESOLVED that a certified copy of this resolution be spread in full upon the minutes of City Council and a certified copy be sent to John A. Moretti.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Koonar~~, Cedeno, Gallman, Mazza and President Grova. - 8 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that on November 2, 2013, five year old, Ethan Barnes was at The North Avenue Luncheonette with his mother and grandmother; and

WHEREAS, Elizabeth Fire Truck #6 Captain William Feehan, Firefighters, Michael Guarino and Nicolas Baptista started a conversation and befriended Ethan. The Fireman gave him the thrill of a lifetime and allowed him to climb inside the fire truck and take pictures; and

WHEREAS, at 1:30-2:00 p.m. Ethan's Great Grandmother had fallen ill. She collapsed and stopped breathing. Fire Truck # 6 was the first to arrive at the scene and recognized Ethan. The rescuers jumped out of their truck and ran inside the house and they started working on Ethan's Great-Grandmother. EMS responders Tanya Atlantic, Anthony Pagano and James Rogers along with Rescue 1 Captain Gary Heszko, Firefighters: Ronald Zack, Louis Zelekovic and Frederick Mohr they worked effortlessly to revive her; and

WHEREAS, this Governing Body wishes to commend Captain William Feehan, Firefighters Michael Guarino and Nicolas Baptista, along with EMS Responders Tanaya Atlantic, Anthony Pagano and James Rogers, and Rescue 1 Firefighters, Captain Gary Heszko, Ronald Zack, Louis Zelekovic and Frederick Mohr; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby extends its thanks and congratulations to Captain William Feehan, Firefighters, Michael Guarino, and Nicolas Baptista, along with EMS Responders Tanaya Atlantic, Anthony Pagano and James Rogers, and Rescue 1 Firefighters, Captain Gary Heszko, Ronald Zack, Louis Zelekovic and Frederick Mohr for their expeditious action, professionalism and wishes to recognize and commend them for their valiant and fearless actions. A copy of this resolution shall be spread in full upon the minutes of this meeting of City Council and that the City Clerk be directed and authorized to forward a certified copy of this resolution to these responders.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Koonan~~, Cedeno, Gallman, Mazza and President Grova, - 8 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that **The Star Ledger** reported the 2013 Fall All-Ledger Top High School Athletes and Top Coaches. **The Elizabeth High School Girls Volleyball Team** finished the season with a record of 8-9. This record does not reflect the work ethic and future promise of this team; and

WHEREAS, The **Elizabeth High School Girls Volleyball Team,** All- Ledger Top Athletes are as follows:

Sa'Naya Johnson, Second Team All-Union County
Alexis Booker, Third Team All-Union County

WHEREAS, the **Elizabeth High School Girls Volleyball Team's** Head Coach is Tania Labrador and her staff are dedicated to the team's efforts; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby congratulations the 2013 Fall All-Ledger Top Athletes, **Elizabeth High School Girls Volleyball Team** for finishing the season with a record of 8-9. This record does not reflect the work ethic and future promise of this team. The All-Ledger Top Athletes are as follows:

Sa'Naya Johnson, Second Team All-Union County
Alexis Booker, Third Team All-Union County

and City Council congratulates **Elizabeth High School Girls Volleyball Team's** Head Coach, **Tania Labrador** and her staff ; and be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of this meeting of City Council and that the City Clerk be directed and authorized to forward a certified copy of this resolution to the **Elizabeth High School Girls Volleyball Team** All Ledger Top Athletes listed hereinabove, and to the **Elizabeth High School Volleyball Coach Team's** Head Coach, Tania Labrador.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Koenan~~, Cedeno, Gallman, Mazza and President Grova - X 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that **The Star Ledger** reported the 2013 Fall All-Ledger Top High School Athletes and Top Coaches. **The Elizabeth High School Girls Cross County Team**; and

WHEREAS, The **Elizabeth High School Cross County Team,** All- Ledger Top Athletes are as follows:

Bryant Cordova, First Team All-Union County
Ester Jean Louis, Second Team All-Union County

WHEREAS, the **Elizabeth High School Cross County Team's** Head Coaches are Jose Dias and Larry Morgan. The coaches and their staff are dedicated to the team's efforts; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby congratulations the 2013 Fall All-Ledger Top Athletes, **Elizabeth High School Cross County Team.** The All-Ledger Top Athletes are as follows;

Bryant Cordova, First Team All-Union County
Ester Jean Louis, Second Team All-Union County

and City Council congratulates **Elizabeth High School Cross County Team's** Head Coaches, Jose Dias and Larry Morgan and their staff; and be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of this meeting of City Council and that the City Clerk be directed and authorized to forward a certified copy of this resolution to the **Elizabeth High School Cross County Team All-Ledger Athletes** listed hereinabove and to the **Elizabeth High School Cross County Team** Head Coaches: Jose Dias and Larry Morgan.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres, Gonzalez, Keenan~~, Cedeno, Gallman, Mazza and President Grova, - X 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the **Elizabeth High School Girls Soccer Players** have made all county teams, state, and **The Star Ledger**; and

WHEREAS, the **Elizabeth High School Girls Soccer Players** Head Coach, Antonio Almedia and his staff are dedicated to the team's efforts; and

WHEREAS, the **Elizabeth High School Girls Soccer Players** honorees are as follows:
Maria Calle: All County Conference Honorable mention. All Mountain Division First Team, New Jersey Girls Soccer Coaches Association Group 4 Team, **The Star Ledger**-Union County Second Team.

Juliana Ceballos: All Mountain Division First Team, New Jersey Girls Soccer Coaches Association Group 4 Team, **Star Ledger**-Union County Third Team.

Monica Flores: New Jersey Girls Soccer Coaches Association Group 4 Team, Honorable Mention Mountain Division.

Tania Lopes: New Jersey Girls Soccer Coaches Association Group Team, Honorable Mention Mountain Division.

Paula Viana: All Union County First Team, All Mountain Division First Team, **The Star Ledger**-Union County Second Team.

Glenda Vigil: Honorable Mention Mountain Division; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby extends its congratulations to the **Elizabeth High School Girls Soccer Players,** and **Elizabeth High School Girls Soccer** Head Coach, Antonio Almeida for being recognized by county teams, state, and **The Star Ledger**; and be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of this meeting of City Council and that the City Clerk be directed and authorized to forward a certified copy of this resolution to the **Elizabeth High School Girls Soccer Players honorees** listed above and the **Elizabeth High School Girls Soccer Players** Head Coach, Antonio Almeida.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Kochan~~, Cedeno, Gallman, Mazza and President Grova; - 8 6.

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that **The Star Ledger** reported the 2013 Fall All-Ledger Top High School Athletes and Top Coaches and the **Elizabeth High School Football Team** finished the season with a record of 5-5 and are ranked 6th in Union County; and

WHEREAS, The Elizabeth High School Football Team, All-Ledger Top Athlete is:

David Tobe, First Team All-Union County Offense

WHEREAS, the **Elizabeth High School Football Team,** First Team All Union County Offense Head Coach, is John Quinn. John Quinn and his staff are dedicated to team efforts; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby congratulations the 2013 Fall All-Ledger Top Athletes, **Elizabeth High School Football Team** for finishing the season with a record of 5-5 are ranked 6th in Union County. The All-Ledger Top Athlete is:

David Tobe, First Team All-Union County Offense

and City Council congratulates the Elizabeth High School Football Team's Head Coach, John Quinn and his staff; and be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of this meeting of City Council and that the City Clerk be directed and authorized to forward a certified copy of this resolution to the **Elizabeth High School Football Team, David Tobe, First Team All-Union County Offense** and Elizabeth High School Football Team's Head Coach, John Quinn.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Torres~~, ~~Gonzalez~~, ~~Koenig~~, Cedeno, Gallman, Mazza and President Grova. - ~~8~~ 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of John L. O'Sullivan; and

WHEREAS, John was born and raised in Elizabeth. He graduated from St. Patrick's High School, where he was a star center-fielder for the varsity baseball; and

WHEREAS, John enrolled in Seton Hall University to pursue his lifelong interest in science. During his third year at Seton Hall he was hired as a lab assistant in the Peter J. Schweitzer Fine Paper Company to work in their technical lab. He stayed on there as a Supervisor for twenty-eight years; and

WHEREAS, John was a daily communicant at Immaculate Conception Chruch; and

WHEREAS, he is survived by four siblings, two sisters, Anne and Mary O'Sullivan, and two brothers, Noel and Maurice O'Sullivan; 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 John L. O'Sullivan; 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 Paul L. Partazana, 73; and

WHEREAS, Paul was born and raised in Elizabeth, N.J., and moved to Toms River, in 1999; and

WHEREAS, he was a proud Veteran who served in the U.S. Army; and

WHEREAS, Paul was a Police Officer in the Elizabeth Police Department for over 32 years. In 1997, he retired as a detective; and

WHEREAS, he is survived by his loving wife of 52 years, Ruth (nee Fyne), and their four children: Paul J., John, Jane Caruso and Debbie Spirito. Paul is also survived by his cherished grandchildren;and

RESOLVED that we, the members of City Council of the City of Elizabeth hereby express our sincere sorrow at the death of Paul L. Partazana; 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 Salvatore "Sal" Timpani, 70; and

WHEREAS, Salvatore was born in Torregrotta, Sicily, and immigrated to America at the age of 12; and

WHEREAS, he was a barber by trade for many years before becoming a member of Local Union 394 in Elizabeth, NJ; and

WHEREAS, he was a dedicated member of The Ribera Club in Elizabeth; and

WHEREAS, he is survived by his loving wife and best friend of forty-one years, Therese Rich Timpani; son, Salvatore; daughter, Danielle D'Aloisio and his beloved five grandchildren; 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 Salvatore Timpani; 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

8:13 p.m.

APPROVED

MANNY GROVA, JR.
President of City Council

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