PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
March 11, 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, [redacted],
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 - ~~7~~ 8

ABSENT: Cuesta - 1

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.

PRESENTATION

Councilman Gallman made a presentation at this time. He stated he stands here to commend Ms. Kiana Harris because this young lady decided to become a model and she will be participating in the Miss New Jersey Pageant.

He then read he resolution.

Councilman Torres stated that today is a special day because we not only have one undefeated team, but two undefeated teams. Her thanked the current President,

coaches and Team moms of the Elizabeth Packers. He then read the resolutions commending the teams.

Councilwoman Perkins-Auguste announced that March is Women's History Month and she is also a Packers mom and all of the children are special.

Mr. Kenny Vaughn, President, Elizabeth Packers, stated that this is what it is all about the children and keeping them involved. He continued that this is what we need to teach the children to work with one another. He stated further that they have coaches who are passionate about what they are doing.

Council President Grova stated that this organization started a few years ago and some of these players will come back and become coaches.

Councilman Torres announced that he will now present a commendation to Officer Lateef Banks. He stated that Officer Banks is an Elizabeth resident, joined the Marine Corps and then the Elizabeth Police Department. He stated further that Officer Banks ran the Police Athletic League for fifteen years. Councilman Torres then read the resolution commending Officer Lateef Banks.

PUBLIC SPEAKING

Mr. Darryl Siprio stated that he represents the 150,000 people employed at Newark Airport by working to get better benefits and wage increases. He continued that he would like for City Council to pass a resolution to support their efforts. He stated further that Governor Cuomo allowed this to happen on the New York side, but Governor Christie has not allowed this to happen on the New Jersey side.

Ms. Elsa Sanchez, Mr. Deonte and Ms. Maria Adele, City of Newark residents, stated they are employees of Newark International Airport. They continued that they work 10½ hour shifts with no paid vacation. They stated further they are taking this opportunity to thank City Council for supporting the workers at the airport.

There being no one else 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. 4451**, entitled:

> AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF $1,500,000 FOR THE RECONSTRUCTION OF A FIRE HOUSE IN THE CITY OF ELIZABETH AND APPROPRIATING $1,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,425,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **February 11, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **February 27, 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. 4452**, entitled:

> AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY PROVIDING FOR SEWER SYSTEM CAPITAL REPAIRS, AND APPROPRIATING $12,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $12,000,000 BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE COST THEREOF

This ordinance was adopted on its first reading at the meeting of City Council held on **February 11, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **February 27, 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. 4453**, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO WOODWARD & CURRAN, INC., 50 MILLSTONE ROAD, EAST WINDSOR, NEW JERSEY ON BEHALF OF INVENSYS CORPORATION, TO INSTALL TWO (2) ENVIRONMENTAL GROUNDWATER MONITORING WELLS WITHIN THE RIGHT-OF-WAY OF JEFFERSON AVENUE BETWEEN VIRGINIA STREET AND ALINA STREET.

This ordinance was adopted on its first reading at the meeting of City Council held on **February 25, 2014**.

The Notice of Public Hearing was published in the Star Ledger issue of **March 3, 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. 4454**, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR AND THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF PROPERTY LOCATED AT 625 PULASKI STREET, BLOCK 4, L0T 294A, ELIZABETH, NEW JERSEY FROM KLUB WOLNOSCI JOZEFA PILSUDSKIEGO, INC., A/K/A/ FREEDOM POLISH NATIONAL HOME, INCLUDING ANY AND ALL DOCUMENTS NECESSARY TO COMPLETE THE PURCHASE.

This ordinance was adopted on its first reading at the meeting of City Council held on **February 25, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **March 3, 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 February 24, 2014, from His Honor, the Mayor, subject to the confirmation of your Honorable Body, herewith re-appoints Ms. Gisela Bernal-Castro, 30 Vista Avenue, Elizabeth, NJ, to serve as a Member of the Elizabeth Parking Authority for a new five year term.
Which was received.

[redacted]

[redacted]

By the Clerk:

Letter dated February 27, 2014, from the Business Administrator recommending the award of a contract to AAM Motor Sales, DBA Jersey City Ford, 315 Clendenny Avenue, Jersey City, NJ, for maintenance and repairs of vehicles with 15,000 lb. Gross Vehicle Weight Rating or less for various departments for the period of February 1, 2014 through March 31, 2014, at a cost not to exceed $25,000.00.
Which was received.

By the Clerk:

Letter dated February 27, 2014, from the Business Administrator recommending the award of a contract to Atlantic Detroit Diesel Allison, LLC, 33 Gregg Street, Lodi, NJ, for maintenance and repair for heavy duty vehicles, to include but not limited to motors and transmissions, for the various departments for the period of February 24, 2014 through February 28, 2015, at a cost not to exceed $75,000.00.
Which was received.

By the Clerk:

Letter dated February 27, 2014, from the Business Administrator recommending the award of a contract to Avaya Inc., 161 Cliveden Drive, Newtown, PA, for the purchase of Telecommunications Wired for various departments for the period of February 2, 2014 through February 1, 2015, at a cost not to exceed $80,000.00.
Which was received.

By the Clerk:

Letter dated February 27, 2014, from the Business Administrator recommending the award of a contract to Firefighter One, LLC, 26 Gail Court – Suite 1, Sparta, NJ, for Firefighter Protective Clothing and Equipment for the Fire Department during the period of February 11, 2014 through March 31, 2015, at a cost not to exceed $60,000.00.
Which was received.

By the Clerk:

Letter dated February 27, 2014, from the Business Administrator recommending the award of a contract to Firefighter One, LLC, 26 Gail Court – Suite 1, Sparta, NJ for the purchase of Police and Homeland Security Equipment and Supplies for the Fire Department for the period of February 11, 2014 through April 30, 2015 at a cost not to exceed $60,000.00.
Which was received.

By the Clerk:

Letter dated February 27, 2014, from the Business Administrator recommending the award of a contract to Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ, for the purchase of two (2) 2014 Ford Fusion Sedans at a cost of $36,212.00 under the Morris County Co-Op.
Which was received.

By the Clerk:

Letter dated February 28, 2014, from the Business Administrator recommending the award of a contract to Route 23 Auto Mall, 1301 Route 23 South, Butler, NJ, for Maintenance and Repairs for Heavy Duty Vehicles for various departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00.
Which was received.

[redacted]

By the Clerk:
Letter dated February 28, 2014, from the Business Administrator recommending the award of a contract to J & M National Spring Co., 50 Branford Street, Newark, NJ, for maintenance and repair of heavy duty vehicles to include but not limited to springs for various departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated February 28, 2014, from the Business Administrator recommending the award of a contract to W. W. Grainger, Inc., Grainger Industrial Supply Division, 55 Jackson Drive, Cranford, NJ, for Industrial Maintenance Repair Operation Supplies and Equipment for various departments for the period of February 28, 2014 through February 28, 2015, at a cost not to exceed $400,000.00.
Which was received.

By the Clerk:
Letter dated February 28, 2014, from the Business Administrator requesting to amend the resolution adopted July 24, 2012, awarding a contract to Atlantic Tactical of New Jersey, Inc., for the purchase of Ammunition, Protective Vests and Crime Prevention Supplies at a cost not to exceed $200,000.00, specifically to add additional equipment which is under Atlantic Tactical of New Jersey, Inc., state contract numbers 81360 and 82102.
Which was received.

By the Clerk:
Letter dated February 28, 2014, from the Business Administrator recommending the award of a contract to Campbell Freightliner, LLC, 1015 Cranbury South/River Road, S. Brunswick, NJ, for Maintenance and Repair Services for Heavy Duty Vehicles, to include but not limited to repair of pumps, water tanks and exhaust, for the various departments for the period of February 24, 2014 through February 28, 2015, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated February 28, 2014, from the Business Administrator requesting authorization for the Purchasing Agent to commence the competitive contracting process in order to draft a Request For Proposal for the purposes of selecting an Energy Services Company to initiate an Energy Services Improvement Program.
Which was received.

By the Clerk:
Letter dated February 28, 2014, from the Business Administrator recommending the award of a contract to Air Brake & Equipment, 225 Route 22 West, Hillside, NJ, for the Maintenance and Repair of Heavy Duty Vehicles, to include but not limited to brakes and air systems, for various departments for the period of February 24, 2014 through February 28, 2015, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated March 3, 2014, from the Business Administrator recommending the award of a contract to Northeast Auto & Truck Parks, LLC/Division of Capital Supply, Inc., 976 Broadway, Bayonne, NJ, for the purchase of Parts and Repairs for Road Maintenance Equipment for the Department of Public Works for the period of February 24, 2014 through February 24, 2016, at a cost not to exceed $250,000.00.
Which was received.

[redacted]

By the Clerk:
Letter dated March 3, 2014, from the Business Administrator recommending the award of a contract to Dynamic Imaging Systems, Inc., 1000 Atrium Way, Suite 203, Mt. Laurel, NJ, to provide Maintenance for Picture Link Imaging Systems Hardware and Software for the Police Department in the total amount of $20,900.45.
Which was received.

By the Clerk:
Letter dated March 3, 2014, from the Business Administrator recommending the award of a contract to Computer Systems and Methods, 15 Maple Street, Somerville, NJ, for the purchase of four (4) Panasonic Toughpads for the EMS Division of the Fire Department at a total cost of $13,130.48.
Which was received.

By the Clerk:
Letter dated March 3, 2014, from the Business Administrator recommending the award of a contract to EFK Group, LLC, 1027 S. Clinton Avenue, Trenton, NJ, to provide the Office of Youth Services program branding, video, website design and development in the total amount of $70,000.00.
Which was received.

By the Clerk:
Letter dated March 4, 2014, from the Business Administrator requesting Change Order No. 1 to the contract awarded on January 22, 2013, to Pierce Manufacturing of Appleton, Wisconsin, regarding sealed bid for Mobile Foam Support Delivery Unit and Chemical Agent Support Unit in the amount of $1,641,828.00, specifically to increase the award by $13,182.00 and a contract awarded on May 14, 2013, sealed bid for 2000 GPM Pumper and Aerial Ladder Truck in the amount of $1,358,959.00, specifically to increase the award by $8,211.00 in order for the vehicles to operate safely and efficiently.
Which was received.

By the Clerk:
Letter dated March 4, 2014, from the Business Administrator requesting authorization for the proper City officials to appoint, enter into and execute an agreement with the Law Firm of Lum, Drasco & Positan, LLC, 103 Eisenhower Parkway, Roseland, NJ to provide Employment Counsel Services for the City of Elizabeth for the period of February 15, 2014 through February 14, 2015 at a rate of $175.00 per hour for attorneys, $75.00 per hour for paralegals and $25.00 per hour for secretarial overtime, if authorized by the City Attorney, for a total cap of $60,000.00.
Which was received.

By the Clerk:
Letter dated March 4, 2014, from the Business Administrator requesting authorization to amend the resolution adopted January 14, 2014, authorizing an amendment to Schedule A of the lease-purchase agreement between the City of Elizabeth and Motorola Solutions, Inc., to provide all equipment for City of Elizabeth first responders under the Motorola Trunked Radio System Upgrade, specifically to provide that the Chief Financial Officer will encumber funds and execute a Certificate of Availability of Funds every year of the Lease-Purchase Agreement.
Which was received.

By the Clerk:
Letter dated March 4, 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 March 4, 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 March 4, 2014, from the Director of Health and Human Services requesting that your Honorable Body consider adopting an Ordinance entitled: "Smoking" and to Prohibit Smoking on City Property.
Which was received.

By the Clerk:

Letter dated February 26, 2014, from the Acting Director of Planning and Community Development requesting authorization for the proper City officials to execute a CDBG agreement with the Urban League of Union County, Inc., 288 North Broad Street, Elizabeth, NJ, to provide funds for case management services to provide direct short-term rental assistance to individuals or families at risk for homelessness for the period of July 1, 2013 to June 30, 2014, in the amount of $25,000.00.
Which was received.

By the Clerk:

Letter dated February 26, 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 and cancellation of the affordability agreement Combo Program on the property located at 1112-1118 Dickinson Street in the amount of $70,000.00.
Which was received.

By the Clerk:

Letter dated March 3, 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 City's mortgage, Rental Housing Program, on the property located at 709-711 Third Street in the amount of $80,000.00.
Which was received.

By the Clerk:

Letter dated February 21, 2014, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of $3,463.33.
Which was received.

By the Clerk:

Letter dated March 4, 2014, from the Director of Public Works requesting approval of Change Order No. 1 to the contract awarded to Applied Landscape Technologies, Inc., for the renovations to Joseph A. O'Brien Playground at an original cost of $2,262,000.00, to provide further for quantity adjustments from estimated bid quantities to as-built quantities; excavation and disposal of regulated non-hazardous soil; additional soil removal due to the discovery of unsuitable soil and high groundwater related to the subsurface storm water detention system and parking lot that was unknown during the design and bidding of the project at an additional cost of $411,301.56 raising the contract to $2,673,301.56.

REPORTS OF CITY OFFICERS

By the Clerk:
Minutes: Fair Rental Housing Board meeting held January 15, 2014.
Which was received.

ORDINANCES ON FIRST READING

Council President Grova announced that the next business in order would be the introduction of **Ordinance No. 4455** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO ESTABLISH CHAPTER 8.66 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "SMOKING" AND TO PROHIBIT SMOKING ON CITY PROPERTY

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Grova announced that public notice will be published fixing Tuesday evening, March 25, 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. 4455, 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. 4451** , which was seconded by Councilman Cuesta.

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF $1,500,000 FOR THE RECONSTRUCTION OF A FIRE HOUSE IN THE CITY OF ELIZABETH AND APPROPRIATING $1,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,425,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the supplemental amount of $1,500,000, such sum being in addition to the $3,200,000 appropriated in bond ordinance number 4421 of the City finally adopted September 24, 2013, and including the amount of $75,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of $1,425,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond

anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the reconstruction of the fire house for Engine Company #6 at 472 Catherine Street, including all other work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is $4,465,000, including the $3,040,000 of bonds or notes authorized by Ordinance No. 4421 of the City finally adopted September 24, 2013, and the $1,425,000 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is $4,700,000, including the $3,200,000 appropriated by Ordinance No. 4421 of the City finally adopted September 24, 2013, and the $1,500,000 appropriation herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed

to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of

Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $1,425,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $950,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, $650,000 was estimated for such items of expense in Ordinance No. 4421 of the City finally adopted September 24, 2013, and an additional $300,000 is estimated therefor herein.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Gallman stated that the Catherine Street area has been without a firehouse for some time and this is money that will be well spent. He thanked his colleagues for their support.

Councilman Mazza agreed that this is money "well spent" and is thankful for all of the firehouses.

Council President Grova congratulated Councilman Gallman for pushing this through.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **February 11, 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 **February 27, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4452** , which was seconded by Councilman Cuesta.

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY PROVIDING FOR SEWER SYSTEM CAPITAL REPAIRS, AND APPROPRIATING $12,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $12,000,000 BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE COST THEREOF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of $12,000,000. No down payment is required in connection with the improvement or purpose for which obligations are authorized as provided in Section 3 hereof as said purpose is deemed to be self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of $12,000,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued is for sewer system capital repairs, consisting of various capital projects as identified on a list on file in the Clerk's office as updated from time to time, including, without

limitation, removal and replacement of sewer lines at various locations, and repaving as necessary, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the

form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the City Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the City may lawfully undertake as an improvement of a municipal public utility, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $12,000,000 and the issuance of the obligations authorized herein will be within all debt limitations prescribed by that law.

(d) An aggregate amount not exceeding $1,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the City solely for a purpose described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

(f) The City reasonably expects to commence acquisition and/or construction of the improvement described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **February 11, 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 **February 27, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4453** , which was seconded by Councilman Cuesta.

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO WOODWARD & CURRAN, INC., 50 MILLSTONE ROAD, EAST WINDSOR, NEW JERSEY ON BEHALF OF INVENSYS CORPORATION, TO INSTALL TWO (2) ENVIRONMENTAL GROUNDWATER MONITORING WELLS WITHIN THE RIGHT-OF-WAY OF JEFFERSON AVENUE BETWEEN VIRGINIA STREET AND ALINA STREET.

WHEREAS, the Division of Engineering has reviewed communication dated February 6, 2014 with respect to an application for environmental work within the right-of-way of Jefferson Avenue, **Woodard & Curran, Inc.**, on behalf of Invensys Corporation, is performing environmental assessment activities related to the ongoing NJDEP Site Remediation Project at 1001 Newark Avenue that requires the installation of two (2) off-site groundwater monitoring wells within the right-of-way of Jefferson Avenue between Virginia Street and Alina Street, adjacent to Tax Account #12-555; and

WHEREAS, Woodard & Curran, Inc., 50 Millstone Road, Building 300, Suite 100, East Windsor, New Jersey has submitted the necessary documentation for review; however, as a condition of the issuance of the Encroachment Permit, a two (2) year maintenance bond in the amount of $3,000.00 ($1,500.00 per well) must be submitted. The maintenance bond shall commence from the anticipated start of work. A current Certificate of Insurance endorsing the City of Elizabeth as an additional insured must be provided yearly until the monitoring wells are properly abandoned; and

WHEREAS, Woodard & Curran, Inc. is authorized to perform environmental work consisting of two (2) groundwater monitoring wells identified within the Jefferson Avenue right-of-way between Alina Street and Virginia Street adjacent to Tax Account #12-555 as depicted on the plan enclosed with the application and which is on file in the Municipal Engineer's Office. Upon receipt of proper bonding and after the effective date of the Ordnance, a permit will be issued by the Division of Engineering enabling the Contractor to proceed with the work activities; and

WHEREAS, Woodard & Curran, Inc., shall review their Traffic Control Plan with the City Police Department Traffic Bureau. A copy of the plans and application package will be kept in the Division of Engineering files for reference along with the two (2) year maintenance bond and current insurance policy when received. The insurance policies listed on the submitted Certificate of Insurance expire on November 15, 2014 with the exception of the Workers Compensation and employer's liability policies which expire on February 23, 2014; and

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

SECTION 1. - That an encroachment permit be granted to **Woodard & Curran, Inc., 50 Millstone Road, East Windsor, New Jersey** working on behalf of Invensys Corporation, to install two (2) environmental groundwater monitoring wells within the right-of-way of Jefferson Avenue, between Virginia and Alina Streets adjacent to Tax Account #12-555 as depicted on the plan enclosed with the application and which is on file in the Municipal Engineer's Office.

SECTION 2. - Upon receipt of an acceptable two (2) year maintenance bond in the amount of $3,000.00 ($1,500.00 per well) and after the effective date of the Ordinance, a permit will be issued by the Department of Public Works, Division of Engineering, enabling the Contractor to proceed with the work activities.

SECTION 3. - The insurance policies listed on the submitted Certificate of Insurance expire on November 15, 2014 with the exception of the Workers Compensation and Employer's liability policies which expire on February 23, 2014. A current Certificate of Insurance and policy endorsement(s) will need to be provided yearly until the monitoring wells are properly abandoned . The Permittee shall provide a proof of insurance in the aggregate amount required by the City of Elizabeth as determined by the City Engineer naming the City of Elizabeth as an additional insured and giving the City a thirty (30) day notice of cancellation of policy. The Permittee shall also be responsible for all maintenance and restoration with regard to the encroachment.

SECTION 4. - **Woodard & Curran, Inc.**, shall also indemnify and hold harmless the City of Elizabeth from any and all claims which may arise as to personal and property damage to the fullest extent permitted by law.

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

SECTION 6. - If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

SECTION 7. - The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **February 11, 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 **February 27, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4454** , which was seconded by Councilman Cuesta.

AN ORDINANCE AUTHORIZING THE MAYOR AND THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF PROPERTY LOCATED AT 625 PULASKI STREET, BLOCK 4, L0T 294A, ELIZABETH, NEW JERSEY FROM KLUB WOLNOSCI JOZEFA PILSUDSKIEGO, INC., A/K/A/ FREEDOM POLISH NATIONAL HOME, INCLUDING ANY AND ALL DOCUMENTS NECESSARY TO COMPLETE THE PURCHASE.

WHEREAS, the Business Administrator has advised that the City of Elizabeth and Klub Wolnosci Jozefa Pilsudskiego, Inc., a/k/a/ Freedom Polish National Home, located at 625 Pulaski Street, Block 4, Lot 294A, Elizabeth, NJ have been in negotiations for the purchase of the aforesaid property for a price of $750,000.00 contingent upon the City of Elizabeth obtaining financing for the project and any testing and investigation necessary including environmental under terms to be finalized by the City Attorney's Office and in substantially the same form set forth on the attached Agreement for the Sale of Real Estate; now, therefore, be it

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

SECTION 1. - That the Mayor and the proper City Officials are authorized to execute an Agreement for the purchase of real estate and any other documents necessary to complete the purchase of property owned by Klub Wolnosci Jozefa Pilsudskiego, Inc., a/k/a/ Freedom Polish National Home, located at 625 Pulaski Street, Block 4, Lot 294A, Elizabeth, NJ for a price of $750,000.00 contingent upon the City of Elizabeth obtaining financing for the project and any testing and investigation necessary, including environmental testing, under terms to be finalized by the City Attorney's Office and in substantially the same terms set forth on the attached Agreement for the Sale of Real Estate.

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

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

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

Councilman Gonzalez thanked his colleagues for their past and present support. He continued that he is elated to move forward with this purchase.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **February 11, 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 **February 27, 2014.**

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

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

NEGATIVE: None

NEW BUSINESS

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby confirm the reappointment of **Ms. Gisela Bernal-Castro, 30 Vista Avenue, Elizabeth, New Jersey 07208** to serve as a member of the Elizabeth Parking Authority for a five year term pursuant to **N.J.S.A.** 40:11A-1 and the Administrative Code of the City of Elizabeth.

Which was adopted by the following vote:

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

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 Public Works an award of a contract to **AAM Motor Sales/D.B.A. Jersey City Ford, 315 Clendenny Ave., Jersey City, NJ 07304,** for Maintenance & Repairs of Vehicles with 15.000lb GVWR or less for various departments for the period of February 1, 2014 through March 31, 2014 at a cost not to exceed $25,000.00 under their state contract #76419; 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 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 #76419 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **AAM Motor Sales/D.B.A. Jersey City Ford, 315 Clendenny Ave., Jersey City, NJ 07304,** for Maintenance & Repairs of Vehicles with 15.000lb GVWR or less for various departments for the period of February 1, 2014 through March 31, 2014 at a cost not to exceed $25,000.00 under their state contract #76419.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted],
Torres, Gonzalez, Keenan, Cedeno,
Gallman, Mazza and President Grova - ~~7~~ 8

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 Public Works an award of a contract to **Atlantic Detroit Diesel Allison, LLC, 33 Gregg St., Lodi, NJ 07644,** for Maintenance and Repair for Heavy Duty Vehicles for the various departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $75,000.00 under their state contract #73511; 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 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 #73511 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **Atlantic Detroit Diesel Allison, LLC, 33 Gregg St., Lodi, NJ 07644,** for Maintenance and Repair for Heavy Duty Vehicles for the various departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $75,000.00 under their state contract #73511.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended an award of a contract to **Avaya, Inc., 161 Cliveden Drive, Newtown, PA 18940,** for the purchase of Telecommunications Wired for various departments for the period of February 2, 2014 through February 1, 2015 at a cost not to exceed $80,000.00 under the state contract #80802; 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 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 #80802 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **Avaya, Inc., 161 Cliveden Drive, Newtown, PA 18940,** for the purchase of Telecommunications Wired for various departments for the period of February 2, 2014 through February 1, 2015 at a cost not to exceed $80,000.00 under the state contract #80802.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted],
Torres, Gonzalez, Keenan, Cedeno,
Gallman, Mazza and President Grova - X8

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 Fire Department an award of a contract to **Firefighter One, LLC, 26 Gail Court - Suite 1, Sparta, NJ 07871**, for Firefighter Protective Clothing & Equipment for the Fire Department during the period of February 11, 2014 through March 31, 2015 at a cost not to exceed $60,000.00 under their State Contract #80949, #80964 and #80965; 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 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 #80949, #80964 and #80965 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **Firefighter One, LLC, 26 Gail Court - Suite 1, Sparta, NJ 07871**, for Firefighter Protective Clothing & Equipment for the Fire Department during the period of February 11, 2014 through March 31, 2015 at a cost not to exceed $60,000.00 under their State Contract #80949, #80964 and #80965.

Which was adopted by the following vote:

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

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 Fire Department an award of a contract to **Firefighter One, LLC, 26 Gail Court - Suite 1, Sparta, NJ 07871**, for the purchase of Police and Homeland Security Equipment and Supplies for the Fire Department for the period of February 11, 2014 through April 30, 2015 at a cost not to exceed $60,000.00 under their State Contract #81360, #81363, and #81374; 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 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 #81360, #81363, and #81374 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **Firefighter One, LLC, 26 Gail Court - Suite 1, Sparta, NJ 07871**, for the purchase of Police and Homeland Security Equipment and Supplies for the Fire Department for the period of February 11, 2014 through April 30, 2015 at a cost not to exceed $60,000.00 under their State Contract #81360, #81363, and #81374.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Torres, Gonzalez, Keenan, Cedeno, Gallman, Mazza and President Grova - X8

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 Police Department the award of a contract to **Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034,** for the purchase of two (2) 2014 Ford Fusion Sedans at a cost of $36,212.00 under the Morris County Co-Op Contract #15-B Item#4; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-06587, charging the amount of $36,212.00 to Account No. 4-01-25-240-POL-362, of the Municipal Budget is on file in the Office of the City Clerk; and

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to to **Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034,** for the purchase of two (2) 2014 Ford Fusion Sedans at a cost of $36,212.00 under the Morris County Co-Op Contract #15-B Item#4.

Which was adopted by the following vote:

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

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 Public Works an award of a contract to **ROUTE 23 AUTO MALL, 1301 Rt. 23 South, Butler, NJ 07405,** for Maintenance and Repairs for Heavy Duty Vehicles for Various Departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00 under their state contract #73510; 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 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 #73510 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **ROUTE 23 AUTO MALL, 1301 Rt. 23 South, Butler, NJ 07405,** for Maintenance and Repairs for Heavy Duty Vehicles for Various Departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00 under their state contract #73510.

Which was adopted by the following vote:

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

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 Public Works an award of a contract to **J & M NATIONAL SPRING CO., 50 BRANFORD ST., NEWARK, NJ 07114**, for the Maintenance and Repair of Heavy Duty Vehicles for Various Departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00 under their state contract #73495; 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 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 #73495 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **J & M NATIONAL SPRING CO., 50 BRANFORD ST., NEWARK, NJ 07114**, for the Maintenance and Repair of Heavy Duty Vehicles for Various Departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00 under their state contract #73495.

Which was adopted by the following vote:

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

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 Public Works an award of a contract to **W. W. GRAINGER, INC., GRAINGER INDUSTRIAL SUPPLY DIVISION, 55 Jackson Drive, Cranford, NJ 07016-3582,** for Industrial Maintenance Repair Operation Supplies & Equipment for various departments for the period of February 28, 2014 through February 28, 2016 at a cost not to exceed $400,000.00 under their state contract #79875; 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 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 #79875 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **W. W. GRAINGER, INC., GRAINGER INDUSTRIAL SUPPLY DIVISION, 55 Jackson Drive, Cranford, NJ 07016-3582,** for Industrial Maintenance Repair Operation Supplies & Equipment for various departments for the period of February 28, 2014 through February 28, 2016 at a cost not to exceed $400,000.00 under their state contract #79875.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on July 24, 2012 your Honorable Body adopted a resolution to award a contract for the purchase of Ammunition, Protective Vests and Crime Prevention Supplies to **Atlantic Tactical of New Jersey, Inc., 14 Worlds Fair Drive, Somerset, NJ 08873,** for the period of May 1, 2012 through April 30, 2014 at a cost not to exceed $200,000.00 under their State Contract #81297. The Director of the Police Department has informed the Business Administrator that the Police Department requires additional equipment, which is listed under Atlantic Tactical of New Jersey, Inc., State Contracts #81360 and #82102; and

WHEREAS, the Business Administrator has requested to amend the resolution adopted July 24, 2012 to add State Contract #'s 81360 and 82102 in connection with **Atlantic Tactical of New Jersey, Inc., 14 Worlds Fair Drive, Somerset, New Jersey 08873,** to purchase the additional equipment required for the Police Department; 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; now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes the amendment to the resolution adopted on July 24, 2012 awarding a contract for the purchase of Ammunition, Protective Vests and Crime Prevention Supplies to **Atlantic Tactical of New Jersey, Inc., 14 Worlds Fair Drive, Somerset, NJ 08873,** for the period of May 1, 2012 through April 30, 2014 at a cost not to exceed $200,000.00 under their State Contract #81297 be amended for additional equipment required by the Police Department, which is listed under Atlantic Tactical of New Jersey, Inc., State Contracts #81360 and #82102.

Which was adopted by the following vote:

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

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 Public Works an award of a contract to **CAMPBELL FREIGHTLINER, LLC, 1015 Cranbury South/River Road, So. Brunswick, NJ 08831,** for Maintenance and Repair Services for Heavy Duty Vehicles for the Various Departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00 under their state contract #73478; 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 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 #73478 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **CAMPBELL FREIGHTLINER, LLC, 1015 Cranbury South/River Road, So. Brunswick, NJ 08831,** for Maintenance and Repair Services for Heavy Duty Vehicles for the Various Departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00 under their state contract #73478.

Which was adopted by the following vote:

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

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 Public Works an award of a contract to **AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205,** for the Maintenance and Repair of Heavy Duty Vehicles including but not limited to Brakes, and Air Systems for various departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00 under their State Contract #73487;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 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 #73487 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205,** for the Maintenance and Repair of Heavy Duty Vehicles including but not limited to Brakes, and Air Systems for various departments for the period of February 24, 2014 through February 28, 2015 at a cost not to exceed $50,000.00 under their State Contract #73487.

Which was adopted by the following vote:

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

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 Public Works an award of a contract to **Northeast Auto & Truck Parts, LLC/Division of Capital Supply, Inc., 976 Broadway, Bayonne, NJ 07002,** for the purchase of Parts and Repairs for Road Maintenance Equipment for the Department of Public Works for the period of February 24, 2014 through February 24, 2016 at a cost not to exceed $250,000.00 under their State Contract #85853; 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 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 #85853 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 the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **Northeast Auto & Truck Parts, LLC/Division of Capital Supply, Inc., 976 Broadway, Bayonne, NJ 07002,** for the purchase of Parts and Repairs for Road Maintenance Equipment for the Department of Public Works for the period of February 24, 2014 through February 24, 2016 at a cost not to exceed $250,000.00 under their State Contract #85853.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that the City of Elizabeth desires to begin competitive contracting process in order to issue an RFP and select an Energy Services Company (hereinafter "ESCO") to initiate an Energy Savings Improvement Plan (hereinafter "ESIP") pursuant to the authority set forth in **N.J.S.A.** 40A:11-4.6. This process will likely result in energy savings to the City with no upfront capital outlay. This authorization is only to commence the process and the selection of an ESCO can only be undertaken by future action of the Governing Body; and

WHEREAS, in order to initiate competitive contracting, it is necessary for the Purchasing Agent and/or other proper City Officials to commence with the competitive contracting processing each time specialized goods or services enumerated in **N.J.S.A.** 40A:11-4.1 are desired to be contracted; and

RESOLVED that the City Council of the City of Elizabeth authorizes the Purchasing Agent and/or other proper City Officials to commence with the competitive contracting process in order to draft an RFP for the purpose of selecting an Energy Services Company (hereinafter "ESCO") to initiate an Energy Savings Improvement Plan (hereinafter "ESIP") pursuant to **N.J.S.A.** 40A:11-4-6.

Which was adopted by the following vote:

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

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 Police Department an award of contract be made to **DYNAMIC IMAGING SYSTEMS, INC., 1000 Atrium Way, Suite 203, Mt. Laurel, NJ 08054,** to provide maintenance for Picture Link Imaging Systems hardware and software for the Police Department in the total amount of $20,900.45; and

WHEREAS, this contract meets the requirements of the "Non-Fair and Open Process" based on the following criteria:

1. The Purchasing Agent certified that the contract has a value in excess of $17,500.00;
2. **DYNAMIC IMAGING SYSTEMS, INC.** has filed a disclosure form certifying that no reportable contributions were made during the previous year;
. The contract contains a requirement prohibiting reportable contributions from being made during the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-06918 charging the amount of $20,900.45 to Account No. 4-01-25-240-POL-307 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of contract to **DYNAMIC IMAGING SYSTEMS, INC., 1000 Atrium Way, Suite 203, Mt. Laurel, NJ 08054,** to provide maintenance for Picture Link Imaging Systems hardware and software for the Police Department in the total amount of $20,900.45.

Which was adopted by the following vote:

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

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 Fire Department the award of a contract to **COMPUTER SYSTEMS AND METHODS, 15 Maple Street, Somerville, NJ 08876,** for the purchase of four (4) Panasonic Toughpads for the EMS Division of the Fire Department at a total cost of $13,130,48 under their State Contract #A75583; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-06927 charging the amount of $13,130.48 to Account No. 4-01-25-260-ASB-377, of the Municipal Budget is on file in the Office of the City Clerk; 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 State of New Jersey Contract #73495 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 **COMPUTER SYSTEMS AND METHODS, 15 Maple Street, Somerville, NJ 08876,** for the purchase of four (4) Panasonic Toughpads for the EMS Division of the Fire Department at a total cost of $13,130,48 under their State Contract #A75583.

Which was adopted by the following vote:

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

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 Planning and Community Development an award of contract be made to **EFK Group, LLC, 1027 S. Clinton Avenue, Trenton, NJ 08611**, to provide the Office of Youth Services program branding, video, website design and development in the total amount of $70,000.00; and

WHEREAS, this contract meets the requirements of the "Non-Fair and Open Process" based on the following criteria:

1. The Purchasing Agent certified that the contract has a value in excess of $17,500.00.
2. EFK Group LLC has filed a disclosure form certifying that no reportable contributions was made during the previous year.
3. The contract contains a requirement prohibiting reportable contributions from being made during the term of the contract.

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 amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92.010 of the Code of the City of Elizabeth have been complied with by **EFK Group, LLC**; now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes an award of contract to **EFK Group, LLC, 1027 S. Clinton Avenue, Trenton, NJ 08611**, to provide the Office of Youth Services program branding, video, website design and development in the total amount of $70,000.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised on January 22, 2013, your Honorable Body adopted a resolution awarding a contract to **Pierce Manufacturing** of Appleton, Wisconsin for one (1) Mobile Foam Support Delivery Unit and one (1) Chemical Agent Support Unit in the amount of $1,641,828.00; and

WHEREAS, on May 14, 2013 your Honorable Body adopted a resolution to award another contract to **Pierce Manufacturing** for one (1) 2000 GPM Pumper and one (1) Aerial Ladder Truck in the amount of $1,358,959.00; and

WHEREAS, the Business Administrator has advised that the Fire Department has requested a Change Order for the aforementioned vehicles. Due to unforeseen conditions discovered during the mid-inspection process, changes need to be made in order for the vehicles to operate safely and efficiently; and

WHEREAS, the Business Administrator concurs and recommends that the resolutions of January 22, 2013 and May 14, 2013 be amended to add necessary modifications. The modifications will increase the award to **Pierce Manufacturing** for the Mobile Foam Support Delivery Unit and one (1) Chemical Agent Support Unit from $1,641,828.00 to $1,655,010.00 (an increase of $13,182.00) and an increase in the other award to **Pierce Manufacturing** for the 2000 GPM Pumper and one (1) Aerial Ladder Truck from $1,350,748.00 to $1,358,959.00 (an increase of $8,211.00); and

WHEREAS, sufficient funds are available in Account #G-02-41-778-13 (Foam Delivery Unit Grant) in the amount of $13,182.00 and will be encumbered by a Certificate of Availability of Funds #14-069-21 for the Mobile Foam Support Delivery Unit and one (1) Chemical Agent Support Unit. Sufficient funds are available in Account #X-04-55-999-X47-001 (Fire Equipment Capital Account) will be encumbered by a Certificate of Availability of Funds #14-06920 in the amount of $8,211.00 for the 2000 GPM Pumper and one (2) Aerial Ladder Truck; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes Change Order No. 1 to the contract awarded to Pierce Manufacturing, Inc., of Appleton, WI, on January 22, 2013 for Mobile Foam Support Delivery Unit and Chemical Agent Support Unit in the amount of $1,642,828.00, specifically to increase said contract an additional $13,182.00 for a total contract amount of $1,655,010.00 and Change Order No. 1 to the contract awarded to Pierce Manufacturing, Inc. of Appleton, WI on May 14, 2013, for a 2000 GPM Pumper and Aerial Ladder truck in the amount of $1,358,959.00, specifically to increase said contract an additional $8,211.00 for a total contract amount of $1,358,959.00.

Which was adopted by the following vote:

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

NEGATIVE: [redacted] PERKINS-AUGUSTE - 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to enter into and execute a contract with the law firm of **Lum, Drasco & Positan, LLC, 103 Eisenhower Parkway, Roseland, New Jersey 07068,** to provide Employment Counsel Services to the City of Elizabeth for the period of February 15, 2014 through February 14, 2015 at a rate of $175.00 per hour for attorneys, $75.00 per hour for paralegals and $25.00 per hour for secretarial overtime, if authorized by the City Attorney, for a total cap of $60,000.00; and

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

WHEREAS, this contract is being awarded pursuant to the fair and open process in accordance with the provisions of **N.J.S.A**. 19:44A-20-5 et seq.; and

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

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

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

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

1. The Mayor and City Clerk are hereby authorized and directed to execute a contract with the firm of **Lum, Drasco & Positan, LLC, 103 Eisenhower Parkway, Roseland, New Jersey 07068,** to provide Employment Counsel Services to the City of Elizabeth for the period of February 15, 2014 through February 14, 2015 at a rate of $175.00 per hour for attorneys, $75.00 per hour for paralegals and $25.00 per hour for secretarial overtime, if authorized by the City Attorney, for a total cap of $60,000.00..

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

3. That the within authority is limited to a total of $60,000.00 at the hourly rate of $175.00 for attorneys $75.00 for paralegals and $25.00 for secretarial overtime without the further approval of City Council.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised 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's Interoperable Communications System; and

WHEREAS, on January 14, 2014, your Honorable Body amended this agreement to completely integrate all City operations including Public Works and non first responders, on this system; and

WHEREAS, the January 14, 2014 resolution must be amended to include language providing that the Chief Financial Officer will encumber funds prior to the annual payment required by the Agreement; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an amendment to the resolution adopted January 14, 2014 relating to the Lease-Purchase Agreement with **Motorola Solutions, Inc.**, for the Motorola Trunked Radio System Upgrade, specifically to provide that the Chief Financial Officer will encumber funds on an annual basis and execute a Certificate of Availability of Funds prior to the annual payment required by the aforementioned agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to execute an agreement with the **Urban League of Union County, Inc., 288 North Broad Street, Elizabeth, New Jersey 07207,** for $25,000.00 to be used for Case Management Services for direct short-term rental assistance to individuals/families at risk for homelessness, for the period of July 1, 2013 to June 30, 2014; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-06997 charging the amount of $25,000.00 to Account No. T-22-56-014-PBS-448, 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 proper City Officials to execute an agreement with the **Urban League of Union County, Inc., 288 North Broad Street, Elizabeth, New Jersey 07207,** for $25,000.00 to be used for Case Management Services for direct short-term rental assistance to individuals/families at risk for homelessness, for the period of July 1, 2013 to June 30, 2014.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested the adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to discharge a second mortgage on property located at **1112-1118 Dickinson Street, Elizabeth, New Jersey**; and

WHEREAS, this is a Combo Program loan, and the City of Elizabeth holds a second mortgage given by **Magill Real Estate Holdings, LLC, 806, E. Jersey Street, Elizabeth, New Jersey 07206,** the owner of premises there is also an Affordability Agreement which is forgivable after three (3) years. The date of the Mortgage is October 4, 2006 in the amount of $70,000.00 and is recorded in Mortgage Book M11899 Page 0390. The Affordability Agreement is recorded Deed Book DB5611,Page 0281 and is forgivable after three (3) years; and

WHEREAS, the affordability period is now over and the owner is entitled to a Discharge of the Mortgage and cancellation of the affordability agreement; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to discharge a mortgage given to **Magill Real Estate Holdings, LLC** in the sum of $70,000.00 and cancellation of the Affordability Agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City Officials to execute any and all documents necessary and appropriate to postpone the City's Mortgage on **709-711 Third Avenue, Elizabeth, New Jersey.** The City now holds a second mortgage on this property in the amount of $80,000.00 that is forgivable ten (10) years after project completion and continued compliance. Based upon review of a recent appraisal, there is sufficient equity in the property to protect the City's interest; and

WHEREAS, the pertinent facts are;

Mortgagor: **Pasquale A. Vella**
445 Niles Street, Elizabeth, NJ 07202

New First Lender: **Emigrant Funding Corporation $250,000.00**
6 East 43rd Street 10th Floor, New York, New York 10017

Reason: **Mortgagor is refinancing the loan in order to lower interest rate and to take cash out to bring property taxes current.**

WHEREAS, the City will continue to hold a mortgage in second position, should this postponement be authorized, for the full term of the loan; and

WHEREAS, the Director of the Department of Planning & Community Development recommends that Council authorize to the postponement of mortgage; 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 the property located at **709-711 Third Avenue, Elizabeth, New Jersey** to the Emigrant Funding Corporation mortgage in the amount of $250,000.00.

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 postpone the said mortgage.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

WHEREAS, the Director of the Department of Public Works after notice from the Police Department has caused the boardup of properties listed on **Schedule A** attached hereto and made a part hereof; and

WHEREAS, the buildings or structures listed on the attached **Schedule A** have become unsafe, or unsanitary or are otherwise dangerous to human life or the public welfare or which by reasons of illegal or improper use or occupancy have become unsafe; and

WHEREAS, structures on premises listed on the attached **Schedule A** meet one or more of the criteria hereinabove mentioned; and

WHEREAS, the Department of Public Works has caused to be boarded up the structures on premises listed on the attached **Schedule A** and the owners having been notified of the cost to the City in the amounts as set fort on the attached **Schedule A** and said costs not having been paid to the City of Elizabeth as required and the Director of Public Works having issued Certificates to City Council of the cost to the City in the amounts listed on the attached **Schedule A;** and

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

RESOLVED by the City Council of the City of Elizabeth that the costs shown on the Certificates of the Public Works Director of the City of Elizabeth for the boarding up of structures on premises and the costs listed on **Schedule A** attached hereto and made a part hereof is hereby established as a lien upon the lands listed on the attached Schedule A, which said lien shall hereafter form a part of the taxes next to be assessed and levied upon said lands, 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.** 40:48-2.5 and the provisions of the Code of the City of Elizabeth.

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

Certificate/Invoice 2/21/14 Total Amount $3,463.33.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised on March 28, 2013, your Honorable Body adopted a resolution awarding a contract to **Applied Landscape Technologies, Inc., 145 River Road, Montville, New Jersey 07045,** for Renovations to the Joseph A. O'Brien Playground in the amount of $2,262,000.00. This project provides for improvements to the existing playground including construction of a synthetic turf soccer field as well as drainage and infrastructure improvements, soil removal and disposal, playground replacement, sidewalk, curbs, fencing, and parking improvements; and

WHEREAS, CHA Consulting, Inc., the project engineer, has submitted to the City of Elizabeth on behalf of **Applied Landscape Technologies, Inc.**, Change Order No. 1 in the amount of $411,301.56. This change order represents quantity adjustments from estimated bid quantities to as-built quantities. The major items include excavation and disposal of regulated non-hazardous soil. The additional soil removal was necessary due to the discovery of unsuitable soil and high groundwater related to the subsurface stormwater detention system and parking lot that was unknown during he design and bidding of the project; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-07234, charging the amount of $411,301.56 to Account No. X-08-55-999-X51-001, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes Change Order No. 1 to the contract awarded to **Applied Landscape Technologies, Inc., 145 River Road, Montville, New Jersey 07045,** for renovations to the Joseph A. O'Brien Playground to provide further for adjustments from estimated bid quantities to as-built quantities at an additional cost of $411,301.56. This change order represents a total increase of $15.39% of the original contract amount of $2,262,000.00. The new contract amount is $2,673,301.56.

Which was adopted by the following vote:

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

NEGATIVE: ~~None~~ PERKINS-AUGUSTE — 1

WHEREAS, the Elizabeth Municipal Council stands with contracted passenger service workers who work hard every day to make sure record numbers of travelers comfortably and safely arrive at and leave from Newark Liberty International Airport to other ports of call; and

WHEREAS, contracted Newark airport passenger service workers work just as hard as their counterparts at John F. Kennedy International and LaGuardia airports; and

WHEREAS, these men and women deserve jobs that allow them to support their families and our economy with dignity; and

WHEREAS, many Newark Airport workers earn the state of New Jersey's minimum wage of $8.25 an hour, or $17,160 assuming a 40 hour work-week, 27% below the 2013 Federal Poverty Guidelines for a family of four; and

WHEREAS, many of these workers rely on public assistance despite full-time employment; and

WHEREAS, these workers are overwhelmingly people of color, including African Americans, Hispanic or Latino, and Asian/Pacific Islander; and

WHEREAS, the municipality of Elizabeth has many residents that work at Newark Liberty International Airport; and

WHEREAS, for major domestic carriers flying out of JFK, LGA and EWR, paying contracted out passenger service workers at JFK, LGA and EWR at $10.10/hour would cost less than half a percent of their 2012 total annual revenue; and

WHEREAS, Delta, #2 in the region for passengers, announced on Friday that they will order that their contracted workers get a raise, and that MLK be a retroactive, paid holiday; and

WHEREAS, United is #1 in the region, and is Newark's largest airline, controlling over 70% of Newark's passenger traffic; and

WHEREAS, United Airlines CEO Jeffery Smisek's 2012 total compensation was $9.6 million, including salary, bonuses, stock awards, and other compensation, and assuming a 40 hour work week, would make $4,628 an hour, 561 times what a minimum wage airport worker at Newark Airport would make; and

WHEREAS, in 2012, the five current principal officers at United – including Smisek - made $20.6 million combined; and

WHEREAS, United Airlines reported $1.1 billion in 2013 profit, excluding special charges, an 84% increase over 2012; and

WHEREAS, United received over $471 million in revenue in 2013 for baggage fees alone.

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF ELIZABETH, NEW JERSEY, THAT:

1. The Elizabeth Municipal Council calls on United Airlines and other carriers operating at Newark Liberty International Airport to join us in committing to create good jobs in Elizabeth by:
2. Following the January 28, 2014 directive of Port Authority Executive Director Patrick Foye by making Martin Luther King day a paid holiday and by granting an immediate raise of $1:00/hr. to those earning less than $9.00 and phasing in a minimum wage of $10.10 per hour
3. Providing a living wage that sustains our families and our communities.
4. Guaranteeing access to quality affordable healthcare for ourselves and our families.
5. Allowing workers to improve their lives by organizing with the union of their choice
6. The Elizabeth Municipal Council is calling on these corporations to be accountable to our communities and ensure economic security in our city.

Councilwoman Perkins-Auguste stated that she is elated that this is on the agenda, She continued that she cannot understand how you have wage differences in New York and New Jersey. She stated further that New Jersey should be ashamed to allow this to take place. The Councilwoman stated that she will be reaching out to our Legislators. She continued that Councilman Torres has been an advocator for employees to receive fair wages. She stated further that she is hoping our Governor will come to a fair mind because this is a true atrocity.

Councilman Mazza echoed the sentiments of Councilman Perkins-Auguste and, stating further, these workers work very hard and definitely deserve a raise.

Councilman Gonzalez believes that it is unfair. He continued that New York has agreed with the recommendation, but New Jersey has not. He stated further that the workers are trying to support their families and he hopes other cities will do the same.

Councilman Cedeno believes it is a shame that our Governor, who makes a "great deal of money" would deny a $1.00 raise to the workers.

Councilman Torres stated that it is embarrassing.

Council President Grova thanked Councilman Gallman and Councilman Torres for bringing this situation to City Council. He continued that Councilman Torres said it, it's embarrassing. He stated further that the Governor does not care about the workers. Council President Grova stated that he supports their efforts and to keep doing a good job because our lives depend on it.

Council President Grova thanked the Administration for the redevelopment of O'Brien Field. He stated further that the weather has slowed construction, but the City will be compensated.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

March 3, 2014
March 6, 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:

AVAYA, INC.	**4-01-31-440**	**$ 6,330.86**
ELIZABETHTOWN GAS	**4-01-31-446**	**$ 51,275.54**
FLEETCOR TECHNOLOGIES SERVICES	**4-01-31-460**	**$ 114,809.68**
HESS CORP- GAS	**4-01-31-446**	**$ 7,672.36**
LANGUGAGE LINE SERVICES	**4-01-31-440**	**$ 581.48**
NRG BUSINESS SOLUTIONS	**4-01-31-435**	**$ 5,802.50**
PSE&G	**4-01-31-430**	**$ 70,863.32**
SPRINT	**4-01-31-440**	**$ 2,941.00**
SPRINT SPR11	**4-01-31-440**	**$ 1,415.66**
VERIZON	**4-01-31-440**	**$ 41,271.92**
VERIZON WIRELESS	**4-01-31-440**	**$ 961.82**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of Elizabeth has learned that Kiana Dominque Harris is the 2014 reigning Miss New Jersey American Nation and will be representing the State of New Jersey at the National pageant; and

WHEREAS, Kiana Dominique Harris is a resident of Elizabeth. She attended Elizabeth High School (Edison House). She was named Miss Fashion Elizabeth High School for two years and the first runner-up in the Miss Historical Pageant. She also was Miss New Jersey American Talented Teen and the first runner-up in the National competition; and

WHEREAS, from a very young age, Kiana became very passionate about modeling, which motivated her to become involved in the modeling industry. She is the President of a community-based modeling organization called the Omni Models; and

WHEREAS, Kiana is a strong advocate for females emphasizing empowerment, confidence and scholastic achievement of young adults; and

WHEREAS, upon graduating from Elizabeth High School, Kiana began her undergraduate studies at Union College, majoring in Sports Management and Communications. She took time out from her studies to pursue her modeling career, but intends to return to college in the fall, 2014. She plans to operate her own Special Events and Crisis Management Firm, specializing in sports, fashion and entertainment clientele; now, therefore be it

RESOLVED that the City Council of the City of Elizabeth hereby extends its congratulations to that Kiana Dominque Harris for being named the 2014 Miss New Jersey American Nation and wishes her good fortune as she will be representing the State of New Jersey at the National pageant and wishes her success in all of her future endeavors; 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 Kiana Dominique Harris.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth wishes to recognize City of Elizabeth Police Officer, Lateef Banks, for his effort to give back and improve the City of Elizabeth; and

WHEREAS, Officer Banks has dedicated twenty-two years as a Police Officer working with the City of Elizabeth youth spending fifteen of those years operating the Elizabeth PAL; and

WHEREAS, Officer Banks time and commitment to the City of Elizabeth is greatly appreciated and has not gone unnoticed; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby extends their appreciation and gratitude to Officer Lateef Banks for his leadership, dedication and unselfish service to the residents of the City of Elizabeth; and be it

FURTHER RESOLVED that, as a token of appreciation to Elizabeth Police Officer; Police Officer Lateef Banks 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.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the outstanding accomplishment of the Pop Warner, Elizabeth Packers, Flag Gold Team in the North Jersey League is the first undefeated team (8-0) for the Elizabeth Packers; and

WHEREAS, each of the players in the Elizabeth Packers, Flag Gold Team is to be congratulated for their excellent performance and dedication to their team; and

WHEREAS, the Elizabeth Packers, Flag Gold Team members for this year are as follows:

Zaki Abdur-Rahman	Rashaad Graham	Mitchell Martinez	Kamari Robinson
Jonas Arias	Mu-sahn Hurd	IBN McDaniels	Isaiah Trejos
Imad Canty	Jordan Jones	Aqil Meredith-Smith	Ryan Vickers
Yasin Dutton	Jayson Labrador	Cory Minor	T'yon West
Kamren Ferreira	Zakai Manigo	Ozmani Perez	

RESOLVED that the City Council of the City of Elizabeth acknowledges that the Elizabeth Packers, Flag Gold Team, will be remembered for their excellent sportsmanship and wishes them the best of luck in all of their future competitions; and be it

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of the City Council and a certified copy be sent to the Elizabeth Packers, Flag Gold Team.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the outstanding accomplishment of the Pop Warner, Elizabeth Packers, Mitey Mites Team in the North Jersey League is the first undefeated team (8-0) for the Elizabeth Packers; and

WHEREAS, each of the players in the Elizabeth Packers, Mitey Mites Team is to be congratulated for their excellent performance and dedication to their team; and

WHEREAS, the Elizabeth Packers, Mitey Mites Team members for this year are as follows:

Yasin Abdullah	Isiah Gibson	Roberto Mitma	Elijah Roman
Javontae Bailey	Raheem Harris	Laron Murray	LeQuan Taylor
Yahmig Bryant	Anthony Lanza	Isaiah Nash	Jakai West
Anthony Ferreira	Dejahn Lee	Michael Rabec	Maurice Wright
Elijah Germaine	Arshad Meredith-Smith	Yasim Reid	

RESOLVED that the City Council of the City of Elizabeth acknowledges that the Elizabeth Packers, Mitey Mites Team will be remembered for their excellent sportsmanship and wishes them the best of luck in all of their future competitions; and be it

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of the City Council and a certified copy be sent to the Elizabeth Packers, Mitey Mites Team.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, City Council of the City of Elizabeth has learned with deep regret of the death of Thomas A. Hare on March 10, 2014 at the age of 67; and

WHEREAS, he was employed by the City of Elizabeth and most recently worked at the Stephen Sampson Center; and

WHEREAS, he was survived by many loving family members, coworkers and dear friends; 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 Thomas A. Hare to his family over their loss; and therefore be it

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

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

Councilman Torres moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Grova declared City Council adjourned at 8:35 p.m.

APPROVED

MANNY GROVA, JR.
President of City Council

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