PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
September 23, 2014
7:30 p.m.

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

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

PRESENT: Council Members-at-Large: Patricia Perkins-Auguste,
Frank J. Cuesta,
Council Members: Carlos L. Torres, 1st Ward;
[redacted], 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 - 8

ABSENT: Gonzalez - 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

Councilwoman Perkins-Auguste would like to take this time to recognize Mr. Jamil Cromartie.

Councilwoman Perkins-Auguste announced that every year the City holds a city-wide Book Bag Giveaway and this young man takes it upon his "own accord" to go into his pocket and purchases supplies for this giveaway. She continued that when you do something from your heart, it really matters. She stated further that where young people do things like this is a very good thing.

Mr. Cromartie stated that he became employed two years ago and was able to purchase pencils, notebooks, etc.

Councilman Cuesta stated that we are celebrating Hispanic Heritage month and he would like to recognize a few individuals. He recognized Detective Colon and then read the resolution.

Detective Colon stated being one of nine children in a Puerto Rican family and coming this far comes from drive and fortitude. He thanked City Council for this recognition.

Councilman Cuesta recognized Alberto Goncalves and then read the resolution.

Councilman Cuesta recognized Elizabeth Cano and then read the resolution.

Ms. Cano stated that this is a great honor. She continued that she was brought up with principals to be active. She continued that we must continue our traditions in the City of Elizabeth.

Councilman Cuesta recognized Orlando Galves.

Councilman Cuesta stated that Mr. Galves is an active member in this City. He worked for a company that made explosives for the soldiers during the war. He continued that Mr. Galves is a civil engineer who speaks with passion in helping the elderly.

Councilwoman Perkins-Auguste recognized Jose Cuevas and explained how they met. She continued that he is being recognized because he loves his Puerto Rican roots. He has worked to educate people and what "strikes her the most" is his dedication to teaching and educating people about different cultures.

Mr. Cuevas stated that his involvement started years ago when it was said to his daughter that she was bad because she lived in a bad area. He continued that he decided to change that thinking. He stated further that the activists keep the politicians on their toes.

Council President Grova stated that he has known Mr. Cuevas for many years.

Councilwoman Perkins-Auguste recognized Steven Fernandez. She stated that she met Mr. Fernandez two years ago and got to know him when they were walking together through the community. She continued that what "struck her the most" was that he wanted more for his son and family. She further stated that young people need

to be encouraged and young people are losing what it means to be a family, to respect others.

Councilwoman Perkins-Auguste and then read the resolution.

Mr. Fernandez thanked City Council for this recognition and honor.

PUBLIC SPEAKING

Ms. Lora Petrie, New Brunswick, N.J., thanked City Council for recognizing these individuals.

Ms. Petrie announced that she is here to address Fracking Waste, which is many chemicals eliminated into the water. She stated that no one wants this in their drinking water. This is so important because these radioactive elements will eventually make its way into our drinking water. She stated further that this is an industry which does not care about communities. Their only concern is about making money.

Elizabeth Nelson, Somerset, N.J., spoke regarding Fracking Waste. She stated that industry has made a problem with this waste. This waste is being trucked to Ohio, Pennsylvania and Elizabeth, so this is a grave concern. She recommended all towns to follow these trucks to see where they are going.

Maria Echeverria, Westfield Avenue, stated that she attended the meeting that was held with the Joint Meeting and she has done a little research and found that sometimes tap water is cleaner than bottled water.

A resident from Roselle Park spoke to Fracking Waste, stating that it is important to New Jersey to set an example that you cannot just dump waste in this city and not be held accountable.

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

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. 4482**, entitled:

AN ORDINANCE TO AMEND CHAPTER 5.70.250 OF THE CODE OF THE CITY OF ELIZABETH TO EXTEND THE EXPIRATION DATE OF CHAPTER 5.70 GOVERNING RENT CONTROL TO DECEMBER 31, 2016.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4483**, entitled:

AN ORDINANCE TO AMEND CHAPTER 10.28.030, SCHEDULE I, OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "NO PARKING ALL TIMES ON CERTAIN STREETS," SPECIFICALLY FOR THE ENTIRE LENGTH OF HARRISON STREET AND CRANE STREET, AS WELL AS AMENDING CHAPTER 10.08.020 BY ESTABLISHING STOP SIGNS AT THE INTERSECTION OF CRANE STREET AND UNION STREET AND THE INTERSECTION OF HARRISON STREET AND WESTFIELD AVENUE.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4484**, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3541, ADOPTED ON SEPTEMBER 9, 2003, AND CODIFIED IN CHAPTER 10.08.010H WHICH AUTHORIZED THE ESTABLISHMENT OF A FOUR-WAY STOP AT CHILTON STREET AND STILES STREET AND ESTABLISH A THREE-WAY STOP AT CHILTON STREET AND STILES UNDER CHAPTER 10.08.020 OF THE CODE OF THE CITY OF ELIZABETH.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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.

Council President Grova announced that the next business in order would be a public hearing on **Ordinance No. 4485**, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4015, ADOPTED ON JANUARY 27, 2009, WHICH AUTHORIZED THE ESTABLISHMENT OF NO STOPPING OR STANDING IN THE AREA OF 109-119 BAYWAY AVENUE, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4486**, entitled:

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

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4487**, entitled:

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

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4488**, entitled:

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

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4489**, entitled:

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

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4490**, entitled:

AN ORDINANCE TO AMEND CHAPTER 10.80.010 PEDESTRIAN CROSSINGS "MID- BLOCK CROSSING" OF THE CODE CITY OF ELIZABETH.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4491**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BARBARA A. RAMIS DEAYREFLOR, 66 FLORIDA STREET, ELIZABETH, NEW JERSEY 07206.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4492**, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4142, ADOPTED ON JULY 27, 2010, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR STEPHANIE LUBAS, 208 GENEVA STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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. 4493**, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4408, ADOPTED ON SEPTEMBER 10, 2013, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BARBARA A. RUSSO, 532 FOURTH AVENUE, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 9, 2014.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 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 September 10, 2014, from His Honor the Mayor, subject to confirmation of your Honorable Body, I herewith reappoint the Honorable Richard Obuch, 322 New York Avenue, Apt. B322, Elizabeth, NJ, to serve as a Judge of the Municipal Court for another term of three years, effective October 1, 2014.
Which was received.

By the Clerk:
Letter dated September 12, 2014, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, NJ, to provide medical services covering Fire, Police and City Employees for the period of September 1, 2014 to August 31, 2015 at a cost not to exceed $95,000.00.
Which was received.

By the Clerk:
Letter dated September 12, 2014, from the Business Administrator requesting authorization for the proper City officials to renew the Public Officials Bond with the Hartford Insurance Company, Hartford, CT, through agent-of-record, Hughes Plumer Associates, Somerville, NJ, covering Paul Lesniak, City Treasurer/Tax Collector, for the period of December 1, 2014 to December 1, 2015, at an annual premium of $1,750.00.
Which was received.

By the Clerk:

Letter dated September 12, 2014, from the Business Administrator requesting authorization for the Purchasing Agent to initiate a proprietary sealed bid process to purchase one (1) 500 foot long section of 12 inch Super Aqueduct, single jacketed polyester and polyurethane hose with couplings manufactured by Angus Flexible Pipelines, A Division of Pyrene Corporation, 130 Esna Park Drive, Markham, Ontario, Canada; to replace a damaged section of the hose to extinguish petrochemical tank farm fires.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Business Administrator recommending the award of a contract to EPLUS Technology, Inc., 642 Newtown Yardley Road, Newtown, PA, for computer hardware, printers, servers, media, software upgrades and other computer equipment for various City buildings for the period of September 1, 2014 through December 31, 2014, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Business Administrator recommending the award of a contract to Howard Industries, Inc., 36 Howard Dr., Ellisville, MS, for Hardware for Computers, Printers, Servers, Media, Software Upgrades, Printer Repairs and other Computer Equipment for various City buildings for the period of September 1, 2014 through December 31, 2014 at a cost not to exceed $25,000.00.
Which was received.

By the Clerk:

Letter dated September 14, 2014, from the Business Administrator recommending the award of a contract to Dell Marketing LP, One Dell Way, Round Rock, TX, for the purchase of Dell Computers, Servers and replacement parts for Dell Computers for various City Buildings for the period of September 1, 2014 through December 31, 2014, at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Business Administrator recommending the award of a contract to Cleveland Auto & Tire Co., 462 Third Avenue, Elizabeth, NJ, for tires and tubes for Public Works, Police and Fire Department vehicles for the period of September 10, 2014 through March 31, 2015, at a cost not to exceed $175,000.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Business Administrator recommending the award of a contract to Ricoh USA, Inc., 19 Chapin Road, P.O. Box 2008, Pine Brook, NJ, for payment of cost per copy on existing leased copiers for various departments during the period of September 1, 2014 through August 31, 2015 at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Business Administrator advising, that being satisfied that an emergency did exist, recommends the award of a contract to Rana Construction, Inc., P.O. Box 2700, Newark, NJ, for the immediate demolition of 1065 Magnolia Avenue in the amount of $39,500.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Business Administrator requesting authorization for the proper City officials to execute all necessary documents between the City of Elizabeth and Kean University to provide Blue Bus/Trolley transportation for facilitating visitor transportation to and from Kean University for the 350th Anniversary Celebration.
Which was received.

By the Clerk:

Letter dated September 16, 2014, from the Business Administrator recommending the award of a contract to Enpointe Technology Sales, Inc., 18701 South Figueroa Street, Gardena, CA, with the third party service provider, DRS Imaging, 43 Fadem Road, Springfield, NJ, for the purchase of Cloud Based Software as a service in the Form of Electronic Data Storage of Construction documents at a cost of $51,453.65.
Which was received.

By the Clerk:

Letter dated September 16, 2014, requesting to amend the resolution adopted September 13, 2011, approving an Interlocal Agreement with the County of Union covering the City of Elizabeth's Fiber Connection and Maintenance, specifically to include the installation of 12 strands of Fiber (Lateral) between 472 Catherine Street, Engine 6, and One Police Plaza with a single non-recurring installation charge in the amount of $62,000.00 with a $1,000.00 per month maintenance charge and to extend the term of the contract to December 31, 2017.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from Robert J. Lenahan, Jr., Esq., Special Counsel, requesting authorization for the Mayor to execute the settlement agreement between the City of Elizabeth and Burnett Investors Urban Renewal.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from Robert J. Lenahan, Jr., Esq., Special Counsel, requesting authorization for the Mayor to execute the settlement agreement between the City of Elizabeth and 107 First Street Urban Renewal.
Which was received.

By the Clerk:

Letter dated September 16, 2014, from the Chief Financial Officer requesting authorization for the Tax Collector to credit said property owners entitled to a Senior Citizen, Disability Deduction, and/or a Veteran Deduction for 2014 Tax Year in the amount of $2,000.00.
Which was received.

By the Clerk:

Letter dated September 16, 2014, from the Chief Financial Officer advising that Temporary Emergency Appropriations for the 2015 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:

Letter dated September 16, 2014, from the Chief Financial Officer advising that transfers for the 2014 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:

Letter dated September 16, 2014, from the Chief Financial Officer advising in compliance with the SFY 2014 Appropriations Act, requires that your Honorable Body approve all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:

Letter dated September 16, 2014, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a Capital ordinance authorizing the cost of sidewalks and drainage improvements at various City properties in the total amount of $400,000.00.
Which was received.

By the Clerk:

Letter dated September 16, 2014, from the Chief Financial Officer requesting that your Honorable Body consider authorizing the Mayor to execute the Midtown Parking Garage Operating Agreement between the Elizabeth Development Corporation and the Elizabeth Parking Authority to operate the Facility and the Elizabeth Parking Authority to integrate the facility with its other existing parking facilities in the City for the term to commence upon its execution and shall extend to May 14, 2027.
Which was received.

By the Clerk:

Letter dated September 8, 2014, from the Director of Health and Human Services requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the 2014 Transform Your City Through Innovation application sponsored by Bloomberg Philanthropies in an amount not to exceed $2,000,000.00
Which was received.

By the Clerk:

Letter dated September 10, 2014, from the Director of Health and Human Services requesting to enter an agreement between the City of Elizabeth, Department of Health and Human Services and the Elizabeth Board of Education to provide for payment of the nursing services to non-public schools for the period of September 1, 2014 through June 30, 2015 to receive $153,468.00.
Which was received.

By the Clerk:

Letter dated September 12, 2014, from the Director of Planning and Community Development requesting authorization to utilize Urban Enterprise Authority, Zone Assistance funds for a capital improvement and modernization project at the Midtown Parking Garage in the amount of $969,900.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Director of Planning and Community Development requesting to amend the resolution adopted November 12, 2013, with the Urban League of Union County, 288 N. Broad Street, Elizabeth, NJ, to provide direct assistance for homelessness prevention for up to 48 families in the amount of $40,822.20, specifically to extend the contract term to December 31, 2014.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Director of Planning and Community Development requesting authorization to competitively contract for the purposes of selecting a licensed and qualified firm to provide for the administration of records related to foreclosed and vacant properties within the City limits.
Which Was Referred To Council As A Hold.

By the Clerk:

Letter dated September 10, 2014, from the Director of Public Works recommending the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ, to provide civil engineering services on a time and material basis for actual time and expenses in connection with the demolition of 823 East Jersey Street, the former Water Utility garage, at a cost not to exceed $90,905.00, plus reimbursables.
Which was received.

By the Clerk:

Letter dated September 11, 2014, from the Director of Public Works recommending the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ, to provide civil engineering services on a time and material basis for actual time and expenses in connection with the demolition of 155 First Street, the Mack Building, at a cost not to exceed $89,440.00, plus reimbursables.
Which was received.

By the Clerk:

Letter dated September 12, 2014, from the Director of Public Works recommending awarding a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ to provide civil engineering services on a time and material basis for actual time and expenses in connection with the demolition of 625 Pulaski Street at a cost not to exceed $66,115.00, plus reimbursables.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Director of Public Works requesting Contract Amendment No. 1- Final to the resolution adopted May 13, 2014, authorizing a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ to provide professional engineering services in connection with environmental consulting engineering services at Veterans Memorial Waterfront Park at a cost not to exceed $108,550.00, specifically to provide environmental consulting engineering services at an additional cost not to exceed $9,500.00, raising the amount of the contract to $118,050.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Director of Public Works requesting Contract Amendment No. 1- Final to the resolution adopted January 28, 2014, authorizing the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ, to provide professional engineering services in connection with environmental consulting engineering services at Veterans Memorial Waterfront Park at a cost not to exceed $98,350.00, specifically to provide environmental consulting engineering services at an additional cost not to exceed $12,190.00, raising the amount of the contract to $110,540.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Transportation's Local Aid application for the Transit Village Grant Program to implement a new traffic light system at the intersection of Morris Avenue and Westfield Avenue in an amount not to exceed $600,000.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Transportation's application for the Bikeway Grant program to expand upon the Elizabeth River Trail project by implementing Phase 4 (Upstream) of the initiative along the Elizabeth River from South Broad Street to West Grand Street in an amount not to exceed $1,700,000.00.
Which was received

By the Clerk:

Letter dated September 15, 2014, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Transportation's application for the Municipal Aid Program grant to implement a new traffic light system at the intersections of Elizabeth Avenue, South Street and Jacques Street in an amount not to exceed $600,000.00.
Which was received.

By the Clerk:

Letter dated September 15, 2014, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Transportation's application for the Safe Streets to Transit Program grant to implement a new traffic light system at the intersection of Broad Street and East/West Grand Street in an amount not to exceed $600,000.00.
Which was received.

By the Clerk:

Letter dated September 16, 2014, from the Director of Public Works requesting authorization for the proper City officials to request the NJ Department of Transportation to perform traffic signal upgrades at Elmora Avenue with Edgar Road; Elmora Avenue with Rahway Avenue Left Turn Phasing and Signal Display Upgrades with the City assuming 25% of the total costs to revise the devises.
Which was received.

By the Clerk:

Letter dated September 4, 2014, from GeoWorx Consulting, LLC, 1802 Route 31 N. #376, Clinton, NJ 08809, requesting site access to the Kopnicki Playground located at 128-142 Fulton Street to determine if there are any contaminants of concern that have migrated onto public property.
Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

Council President Grova announced that the next business in order would be the introduction of **Ordinance No. 4495** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SITE ACCESS AGREEMENT WITH GEOWORX CONSULTING, LLC., 1802 ROUTE 31 N #376, CLINTON, NEW JERSEY, TO COMPLETE SOIL BORINGS AT KOPNICKI PLAYGROUND LOCATED AT 128-142 FULTON STREET, (TAX ACCOUNT NO. 2-538) IN CONNECTION WITH POSSIBLE CONTAMINANTS MIGRATING ONTO PLAYGROUND PROPERTY FROM STEEL BRITE POLISHING CORPORATION, 127 FRANKLIN STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the introduction of **Ordinance No. 4496** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $400,000 FOR VARIOUS SIDEWALK AND DRAINAGE IMPROVEMENTS IN AND FOR THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Grova announced that public notice will be published fixing Tuesday evening, October 23, 2014, at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct a public hearing and further consider the foregoing Ordinance Nos. 4495 and 4496, 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. 4479** , which was seconded by Councilman Cuesta.

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF ELIZABETH RIVER TRAIL PHASE 4 IN THE CITY OF ELIZABETH AND APPROPRIATING $1,700,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,615,000 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 sum of $1,700,000 including the sum of $85,000 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 cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of $1,615,000 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 construction of the Elizabeth River Trail Phase 4, including but not limited to, the construction of a pedestrian/bicycle pathway, lighting, benches, trash receptacles, signage, landscaping, fencing, storm water drainage piping and other inlets and appurtenances for stormwater management, and installation of walkways, curbing, public sidewalk curb ramps as may be required, and 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 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 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 15 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 $1,615,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $200,000 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 improvement or purpose.

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 **August 26, 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 **September 11, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4481** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO ESTABLISH CHAPTER 7.28 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "FRACKING WASTE" SPECIFICALLY TO PROHIBIT THE TREATMENT, DISCHARGE, DISPOSAL, APPLICATION TO ROADWAY, OR STORAGE OF WASTEWATER, WASTEWATER SOLIDS, SLUDGE, DRILL CUTTINGS OR OTHER BYPRODUCTS FROM NATURAL GAS EXPLORATION OR PRODUCTION USING HYDRAULIC FRACTURING

WHEREAS, the City Council of the City of Elizabeth finds and declares that the practice of the drilling technique of hydraulic fracturing, or "fracking," for natural gas exploration and production has been found to use a variety of contaminating chemicals and materials; and

WHEREAS, the "fracking" drilling technique uses vast quantities of water mixed with chemicals and solids pumped into shale formations at high pressure to fracture the shale formations and that millions of gallons of contaminated water flow back out of the well; and

WHEREAS, the high concentrations of solids present in hydraulic fracturing wastewater and other wastes may include calcium, magnesium, phosphates, nitrates, sulphates, chloride, barium, cadmium, strontium, dissolved organics such as benzene and toluene, and copper, which would interfere with the processes of wastewater treatment plants by inhibiting the anaerobic digestion processes and disrupting the biological digestion processes; and

WHEREAS, the heavy metals present may precipitate during the treatment process and contaminate biosolids from the plant, which would require expensive decontamination of drying beds or prevent the usual methods for reuse or disposal of those biosolids; and

WHEREAS, the City Council of the City of Elizabeth finds and declares that the treatment of wastewater, wastewater solids, sludge, drill cuttings or other byproducts from the hydraulic fracturing process poses significant public health, safety and welfare risks to the citizens of the City of Elizabeth; now, therefore,

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

SECTION 1. Definitions:

A. "Hydraulic fracturing" shall mean the drilling technique of expanding existing fractures or creating new fractures in rock by injecting water, often with chemicals, sand, or other substances, and often under pressure, into or underneath the surface of the rock for purposes including, but not limited to, well drilling and natural gas exploration and production. The term "hydraulic fracturing" shall include "fracking," "hydrofracking," "hydrofracturing," and other colloquial terms for this drilling technique.

SECTION 2. No wastewater, wastewater solids, sludge, drill cuttings or other byproducts resulting from hydraulic fracturing for the purpose of natural gas exploration or production may be treated, discharged, disposed of, applied to a roadway or otherwise released into the environment, or stored in the City of Elizabeth.

SECTION 3. Enforcement.

A. Any person or entity violating the provisions of this chapter, upon conviction before a Municipal Court Judge of the City, shall be subject to a fine of not less than two thousand five hundred dollars ($2,500.00) and not more than ten thousand dollars ($10,000.00) in the discretion of the Municipal Court Judge.

B. In addition to any other remedies provided for in this chapter, the City Attorney, or his or her designee, may commence an action in the Superior Court of New Jersey to enjoin a person or entity that has violated this chapter and for any other appropriate remedies at law or equity.

SECTION 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 5. 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 6. 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 **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4482** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO AMEND CHAPTER 5.70.250 OF THE CODE OF THE CITY OF ELIZABETH TO EXTEND THE EXPIRATION DATE OF CHAPTER 5.70 GOVERNING RENT CONTROL TO DECEMBER 31, 2016.

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

SECTION 1. - That **Section 5.70.250** entitled a **When Effective, Expiration Date** be amended as follows:

This Ordinance shall remain in full force and effect until December 31, 2016, at which time it shall automatically cease and be of no force and effect after the date, unless specifically extended by the Governing Body. Any such extension action must be taken by the Governing Body prior to the expiration date set forth herein.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

Councilman Mazza stated that Rent Control is here to stay. He continued that it is good that it is here to stay on the books, but there should be some adjustments.

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4483** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO AMEND CHAPTER 10.28.030, SCHEDULE I, OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "NO PARKING ALL TIMES ON CERTAIN STREETS," SPECIFICALLY FOR THE ENTIRE LENGTH OF HARRISON STREET AND CRANE STREET, AS WELL AS AMENDING CHAPTER 10.08.020 BY ESTABLISHING STOP SIGNS AT THE INTERSECTION OF CRANE STREET AND UNION STREET AND THE INTERSECTION OF HARRISON STREET AND WESTFIELD AVENUE.

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

SECTION 1. That Chapter 10.28.030, Schedule I of the Code of the City of Elizabeth, is hereby amended to read as follows:

NAME OF STREET ADD:	LOCATION
Harrison Street	**Entire Length**
Crane Street	**Entire Length**

SECTION 2. That Chapter 10.08.020 be amended to add Stop Signs are to be erected at the intersection of Crane Street and Union Street and the intersection of Harrison Street and Westfield Avenue.

SECTION 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 4. If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

SECTION 5. The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4484** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO RESCIND ORDINANCE NO. 3541, ADOPTED ON SEPTEMBER 9, 2003, AND CODIFIED IN CHAPTER 10.08.010H WHICH AUTHORIZED THE ESTABLISHMENT OF A FOUR-WAY STOP AT CHILTON STREET AND STILES STREET AND ESTABLISH A THREE-WAY STOP AT CHILTON STREET AND STILES UNDER CHAPTER 10.08.020 OF THE CODE OF THE CITY OF ELIZABETH.

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

SECTION 1. - Ordinance No. 3541, adopted on September 9, 2003, and codified in Chapter 10.08.010H is hereby rescinded.

SECTION 2. - That **Chapter 10.08.020**, of the Code of the City of Elizabeth be amended to **add** the following:

Establish a three-way stop at the intersection of
Chilton Street and Stiles Street.

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

SECTION 4. - If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

SECTION 5. - The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4485** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO RESCIND ORDINANCE NO. 4015, ADOPTED ON JANUARY 27, 2009, WHICH AUTHORIZED THE ESTABLISHMENT OF NO STOPPING OR STANDING IN THE AREA OF 109-119 BAYWAY AVENUE, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 4015, adopted on January 27, 2009, is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4486** , which was seconded by Councilman Cuesta.

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

WHEREAS, there has been a request for a Multi-Way Stop sign at the intersection of Alina Street and Jefferson Avenue; and

WHEREAS, the City Engineer has requested that all traffic markings and signage shall be installed consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices and recommendations provided by the City's traffic consultant, T &M Associates, as indicated in its letter dated July 30, 2014; now, therefore,

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

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

Alina Street and Jefferson Avenue
and the installation of a "Stop
Sign Warning" one hundred (100) feet
before the stop sign at said intersection.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

Councilman Gallman stated that as you know when we were walking the streets, we saw speeders. He stated further that this will slow things down.

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4487** , which was seconded by Councilman Cuesta.

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

WHEREAS, there has been a request for a Multi-Way Stop sign at the intersection of Durant Street and Cross Avenue; and

WHEREAS, the City Engineer has requested that all traffic markings and signage shall be installed consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices and recommendations provided by the City's traffic consultant, T &M Associates, as indicated in its letter dated July 30, 2014; and

WHEREAS, as stipulated by **N.J.S.A**. 39:4-197(j), the City Engineer certifies that the following with regard to the designated site in which a top intersection ins requested:

(i) that both intersecting streets are under municipal jurisdiction;

(ii) that the intersection is within 500 feet of a school, playground, or youth recreational facility defined by Statute;

(iii) that the intersection is on a street contiguous to a school, playground, or youth recreational facility; now, therefore,

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

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

Durant Street and Cross Avenue
and the installation of a "Stop
Sign Warning" one hundred (100) feet
before the stop sign at said intersection.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

Councilman Cedeno stated that the goal is to make it safe for the children.

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4488** , which was seconded by Councilman Cuesta.

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

WHEREAS, there has been a request for a Multi-Way Stop Sign at the intersection of Ogden Street and Myrtle Street; and

WHEREAS, the City Engineer has requested that all traffic markings and signage shall be installed consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices and recommendations provided by the City's traffic consultant, T &M Associates, as indicated in its letter dated July 30, 2014; and

WHEREAS, as stipulated by **N.J.S.A**. 39:4-197(j), the City Engineer certifies that the following with regard to the designated site in which a top intersection ins requested:

(i) that both intersecting streets are under municipal jurisdiction;

(ii) that the intersection is within 500 feet of a school, playground, or youth recreational facility defined by Statute;

(iii) that the intersection is on a street contiguous to a school, playground, or youth recreational facility; now, therefore,

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

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

Ogden Street and Myrtle Street
and the installation of a "Stop
Sign Warning" one hundred (100) feet
before the stop sign at said intersection.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4489** , which was seconded by Councilman Cuesta.

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

WHEREAS, there has been a request for a Multi-Way Stop sign at the intersection of Fifth Avenue and Atlantic Street; and

WHEREAS, the City Engineer has requested that all traffic markings and signage shall be installed consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices and recommendations provided by the City's traffic consultant, T &M Associates, as indicated in its letter dated July 30, 2014; now, therefore

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

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

Fifth Avenue and Atlantic Street
and the installation of a "Stop
Sign Warning" one hundred (100) feet
before the stop sign at said intersection.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

Councilman Torres stated that he received many complaints from residents and they need to be established near a park.

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4490** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO AMEND CHAPTER 10.80.010 PEDESTRIAN CROSSINGS "MID- BLOCK CROSSING" OF THE CODE CITY OF ELIZABETH.

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

SECTION 1. - That **Chapter 10.80.010 Pedestrian Crossings, "Mid-Block Crossings"** is amended in the City of Elizabeth as follows:

NAME OF STREET	LOCATION
655 Livingston Street	Beginning at a point approximately 154' southeast of easterly curbline of Seventh Street and extending 10 feet southeasterly therefrom. Warnings sings of pedestrian crossing ahead 100 feet in both directions, as well as Stop for Pedestrian signs 10 feet from crosswalk in both directions, and additional signage placed for No Parking with 25 feet on both sides of said crosswalk.

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 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 **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4491** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BARBARA A. RAMIS DEAYREFLOR, 66 FLORIDA STREET, ELIZABETH, NEW JERSEY 07206.

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

SECTION 1. - A personalized handicapped parking space for **Barbara A. Ramis DeAyreflor, 66 Florida Street, Elizabeth, New Jersey 07206,** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the East curb line of Florida Street beginning at a point 134' North of Second Avenue and continuing 22' North thereof.

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

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

SECTION 4 - If any portion or clause of this Ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this Ordinance.

SECTION 5 - The effective date of this Ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4492** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO RESCIND ORDINANCE NO. 4142, ADOPTED ON JULY 27, 2010, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR STEPHANIE LUBAS, 208 GENEVA STREET, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 4142, adopted on July 27, 2010, is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Council President Grova announced that the next business in order would be the adoption of **Ordinance No. 4493** , which was seconded by Councilman Cuesta.

AN ORDINANCE TO RESCIND ORDINANCE NO. 4408, ADOPTED ON SEPTEMBER 10, 2013, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BARBARA A. RUSSO, 532 FOURTH AVENUE, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 4408, adopted on September 10, 2013, is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 9, 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 **September 16, 2014.**

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

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

NEGATIVE: None

Councilman Torres **MOVED** for a **SUSPENSION OF THE RULES** for the purpose of considering a resolution which did not appear on the agenda, seconded by Councilwoman Perkins-Auguste.

And carried unanimously.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, Elberon Elizabeth Urban Renewal,LLC (Elberon) filed a Letter of Credit Number 68099882 issued by the Bank of America with the City in order to ensure the construction and completion of a new warehouse for Wakefern which was recently opened on York Street, and

WHEREAS, the original Letter of Credit has been misplaced and the search for the document is ongoing, and

WHEREAS, although, the Letter of Credit will expire on October 25, 2014, and will not be renewed, Elberon would like draw on these funds before that date, and

WHEREAS, Bank of America requires a sworn Indemnity Agreement in order to terminate the Letter of Credit; now, therefore, be it

RESOLVED, that the appropriate officials of the City of Elizabeth are hereby authorized and directed to execute the above-mentioned Indemnity Agreement and any other documents necessary in order to terminate Bank of American Letter of Credit Number 68099882.

The Clerk read the foregoing resolution.

The resolution was then adopted by the following vote:

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

NEGATIVE: None

The regular order of business was then resumed.

NEW BUSINESS

City of Elizabeth

CAPITAL BUDGET

2015 SFY

Amendment

Whereas, it is desired to amend the Fiscal Year 2015 Capital Budget,

Now, Therefore Be It Resolved, by the City Council of the City of Elizabeth, County of Union, that the following projects constitute a part of the capital budget section of the Fiscal Year 2015 Capital Budget .

Recorded vote:
AYES (
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NAYS: (
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ABSENT: (
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6 YEAR CAPITAL PROGRAM FY2015 TO FY2020

PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2015

Local Unit CITY OF ELIZABETH

1	2	3	4	PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2015					6
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	AMOUNTS RESERVED IN PRIOR YEARS	5a FY2014 BUDGET APPROPRIATION	5b CAPITAL IMPROVEMENT FUND	5c Capital Surplus	5d Grants-in-Aid and Other Funds	5e Debt Authorized	TO BE FUNDED IN FUTURE YEARS
Sidewalks and Drainage Improvements		400,000.00			400,000.00				
Totals - All Projects		400,000.00			400,000.00				

6 YEAR CAPITAL PROGRAM FY2015 TO FY2020

ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Local Unit CITY OF ELIZABETH

1	2	3	4	FUNDING AMOUNTS PER BUDGET YEAR					
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	5a FY2015	5b FY2016	5c FY2017	5d FY2018	5e FY2019	5f FY2020
Sidewalks and Drainage Improvements		400,000.00		400,000.00					
Totals - All Projects		400,000.00		400,000.00					

6 YEAR CAPITAL PROGRAM FY2015 TO FY2020
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit CITY OF ELIZABETH

1	2	BUDGET APPROPRIATION		4	5	6	BONDS AND NOTES			
		3a	3b							
PROJECT TITLE	ESTIMATED TOTAL COST	Current Year FY2015	Future Years	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS-IN-AID AND OTHER FUNDS	7a General	7b Self Liquidating	7c Assessment	7d School
Sidewalks and Drainage Improvements	400,000.00	400,000.00		400,000.00						
Totals - All Projects	400,000.00	400,000.00		400,000.00						

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

It is hereby certified that this is a true copy of a resolution constituting a part of the capital budget section of the Temporary 2015 Fiscal Year Capital Budget

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Division of Local Government Services in compliance with the Appropriations Act (P.L. 2011, c.85) requires that the Honorable City Council approve all payments related to accumulated/uncompensated absence benefits; and

WHEREAS, at September 1, 2014, the following employee's are entitled to the payment of accumulated/uncompensated absence benefits;

Daniel Ramos	$8,273.29

; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elizabeth hereby approves the payments for accumulated/uncompensated absence benefits to the following employee's;

Daniel Ramos	$8,273.29

; and

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

Rs_Best Practices_Accumulated Absences_9-23-14

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF ELIZABETH, JERSEY, OF ITS CONSENT TO AN OPERATION AND MANAGEMENT AGREEMENT BY AND BETWEEN THE PARKING AUTHORITY OF THE CITY OF ELIZABETH AND ELIZABETH DEVELOPMENT COMPANY OF NEW JERSEY PERTAINING TO THE MIDTOWN GARAGE

WHEREAS, the City of Elizabeth, in the County of Union, New Jersey (the "City"), as tenant, and New Jersey Transit Corporation ("NJ Transit"), as landlord, entered into that certain Ground Lease dated as of May 15, 1997 (the "NJ Transit Lease"), providing for the lease by the City of certain premises located in the City known as 30 West Grand Street (the "Premises"), for a term commencing on May 15, 1997 and ending on May 31, 2027, providing, among other things, for the construction thereon, by Elizabeth Development Company of New Jersey ("EDC"), of a parking garage with approximately 575 parking spaces known as the Midtown Garage (the "Facility"); and

WHEREAS, in accordance with the NJ Transit Lease, the City, as sublandlord, and EDC, as subtenant, entered into a Ground Sublease dated as of May 15, 1997, for a term commencing on May 15, 1997, and ending on May 14, 2027 (the "EDC Sublease"), providing, among other things, for EDC to construct the Facility on the Premises; and

WHEREAS, the Facility was constructed by EDC with proceeds received from the issuance by the New Jersey Economic Development Authority (the "NJEDA") of certain Parking Revenue Bonds (Elizabeth Development Company - 1997 Project) dated May 15, 1997 (the "EDA 1997 Bonds"); and

WHEREAS, the EDA 1997 Bonds were refunded by the NJEDA's Parking Revenue Refunding Bonds (Elizabeth Development Company), Series 2007 (the "EDA 2007 Refunding Bonds"); and

WHEREAS, the EDA 2007 Refunding Bonds were secured by that certain Loan Agreement and Security Agreement by and between the NJEDA and EDC dated as of February 1, 2007 and that certain Mortgage from EDC to the NJEDA dated as of February 1, 2007, and were further secured by that certain Deficiency Agreement by and between the City and EDC dated as of February 1, 2007; and

WHEREAS, EDC and The Parking Authority of the City of Elizabeth (the "Authority") desire that certain improvements be made to the Facility and that the Authority operate and manage the Facility pursuant to an Operation and Management Agreement by and between the Authority and EDC and consented to by the City (the "Operation and Management Agreement"); and

WHEREAS, the City desires to authorize the Mayor to execute and deliver the Operation and Management Agreement to evidence the City's consent thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth, as follows:

Section 1. The Operation and Management Agreement shall be substantially in the form attached to this Resolution as Exhibit A (the "Operation and Management Agreement") and made a part hereof and the Mayor or the Chief Financial Officer of the City are hereby each severally authorized to execute the Operation and Management Agreement on behalf of the City with such changes, revisions, alterations and insertions therein as may be approved by the officer executing the Operation and Management Agreement after consultation with counsel or bond counsel to the City, such approval to be conclusively evidenced by the execution thereof.

Section 2. The Mayor and the Chief Financial Officer of the City are hereby further severally authorized to (i) execute and deliver, and the City Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the City to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Mayor, the Chief Financial Officer or the City Clerk, as applicable, in their respective sole discretion, after consultation with counsel or bond counsel to the City, to be executed in connection with the execution and delivery of the Operation and Management Agreement and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized hereunder to execute such document, instrument or closing certificate, and (ii) perform such other actions as the Mayor or the Chief Financial Officer deem necessary, desirable or convenient in relation to the execution and delivery thereof or the performance of the Operation and Management Agreement by the City.

Section 3. This resolution shall take effect upon adoption hereof.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED the City Council of the City of Elizabeth does hereby advise and consent to the reappointment of **Richard Obuch, Esq., 1049 Coolidge Road, Elizabeth, New Jersey 07208,** to serve as a Judge of the Elizabeth Municipal Court for a term of three (3) years period effective, October 1, 2014.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to retain physicians to provide the medical services of a physician for the City of Elizabeth employees; and

WHEREAS, the Business Administrator has recommended that the City renew the contract with **Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, New Jersey 07201,** to provide medical services for City of Elizabeth Fire, Police and City Employees for a one (1) year period effective September 1, 2014 through August 31, 2015 at a cost not to exceed $95,000.00; and

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

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

WHEREAS, the 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 the Municipal Clerk are hereby authorized and directed to execute a contract with **Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, New Jersey 07201,** in an amount not to exceed $95,000.00 to provide medical services for Fire, Police and City Employees, for a one year period, September 1, 2014 through August 31, 2015. The services would be performed under the direction of, Dr. Francisco Munoz, M.D., who is licensed to practice in the State of New Jersey, under License #43867. The other two physicians participating under this contract are Dr. Guillermo Munoz, D.O, and Dr. James Perez, M.D.

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for the renewal of policy of insurance covering the Fidelity Public Officials Bond for Paul Lesniak, City Treasurer/Tax Collector; and

WHEREAS, the Business Administrator has requested authorization for the proper City officials to renew the policy of insurance with **THE HARTFORD INSURANCE GROUP, Hartford, Connecticut 061115, through the City's agent-of-record, Hughes Plumer Associates, 20 West End Avenue, Somerville, New Jersey 08876,** for a Fidelity Public Officials Bond for Paul Lesniak, Treasurer/Tax Collector at a cost of $1,750.00. The term of the policy is December 1, 2014 to December 1, 2015; and

WHEREAS, this recommendation is being made with the full concurrence of the members of the Insurance Fund Commission; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 15-021381, charging the amount of $1,750.00 to Account Number 5-01-23-210-INS of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with **HARTFORD FIRE INSURANCE GROUP, Hartford, Connecticut 061115, through the City's agent of record Hughes-Plumer & Associates, 20 West End Avenue, Somerville, New Jersey 08876** to renew the policy of insurance for a Fidelity Public Officials Bond for Paul Lesniak, City Treasurer/Tax Collector at a cost of $1,750.00 for the period December 1, 2014 to December 1, 2015.

2. Quotations were not solicited for this contract because it was determined that the above company is a currently providing this service to the City of Elizabeth. This recommendation to award the contract is being made because this proposal offers a continuation of the present insurance for the purpose stated above.

3. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance and Banking in order to qualify to do business within this State. New Jersey Statute 40A:11-5(1)(m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements for Extraordinary, Unspecifiable Service.

4. This cannot be described by written specifications because of the special nature of the services as described above.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator is in receipt of notification of the Purchasing Agent's Certification with regard to purchasing of one (1) 500 foot long section of 12 inch Super Aqueduct, single jacketed polyester and polyurethane hose with couplings manufactured by **Angus Flexible Pipelines, A Division of Pyrene Corporation, 130 Esna Park Drive, Markham, Ontario L3R, 2E3 Canada**, for the Fire Department under **N.J.A.C.** 5:34-9.1; and

WHEREAS, the Business Administrator is convinced that the purchase of these materials qualifies under the Local Public Contracts Law Rules and Regulations to be purchased through the proprietary goods and services provision; and

WHEREAS, this particular type of hose is used to respond to petrochemical tank farm fires which require huge amounts of water and foam to extinguish. The City currently has 1,500 feet of this hose which is valued at approximately $127,000.00. However, a 500 foot section of the hose is damaged. It is necessary to replace the damaged hose to help extinguish any fire of that magnitude; and

WHEREAS, the Business Administrator authorizes and concurs with the notification of the Purchasing Agent's Certification to initiate a proprietary sealed bid process to purchase one (1) 500 foot long section of 12 inch Super Aqueduct single jacketed polyester and polyurethane hose with couplings manufactured by **Angus Flexible Pipelines, A Division of Pyrene Corporation, 130 Esna Park Drive, Markham, Ontario L3R, 2E3 Canada** for the Fire Department under **N.J.A.C.** 5:34-9.1 Purchase of Proprietary Goods or Services; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the Purchasing Agent to initiate a proprietary sealed bid process to purchase one (1) 500 foot long section of 12 inch Super Aqueduct single jacketed polyester and polyurethane hose with couplings manufactured by **Angus Flexible Pipelines, A Division of Pyrene Corporation, 130 Esna Park Drive, Markham, Ontario L3R, 2E3 Canada** for the Fire Department under **N.J.A.C.** 5:34-9.1 Purchase of Proprietary Goods or Services for the reasons stated hereinabove.

Councilman Mazza commended the Fire Director for this request. This is a great thing to have and is very wise.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, ~~Councilor~~, 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 Supervisor of Data Processing Operations the award of a contract, to **EPLUS Technology, Inc., 642 Newtown Yardley Road, Newtown, PA 18940,** for computer hardware, printers, servers, media, software upgrades and other computer equipment for various City buildings for the period September 1, 2014 through December 31, 2014 at a cost not to exceed $50,000.00 under their State Contract #75585; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #75585 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C** 5:34-1.2; now, therefore, be it; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **EPLUS Technology, Inc., 642 Newtown Yardley Road, Newtown, PA 18940,** for computer hardware, printers, servers, media, software upgrades and other computer equipment for various City buildings for the period September 1, 2014 through December 31, 2014 at a cost not to exceed $50,000.00 under their State Contract #75585.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], 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 Supervisor of Data Processing Operations the award of a contract, to **HOWARD INDUSTRIES, INC., 36 Howard Drive, Ellisville, MS 39437**, for Hardware for Computers, Printers, Servers, Media, Software Upgrades, Printer Repairs and other Computer Equipment for various City buildings for the period of September 1, 2014 through December 31, 2014 at a cost not to exceed $25,000.00 under their State Contract #70264; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #70264 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C** 5:34-1.2; now, therefore, be it; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **HOWARD INDUSTRIES, INC., 36 Howard Drive, Ellisville, MS 39437**, for Hardware for Computers, Printers, Servers, Media, Software Upgrades, Printer Repairs and other Computer Equipment for various City buildings for the period of September 1, 2014 through December 31, 2014 at a cost not to exceed $25,000.00 under their State Contract #70264.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], 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 Supervisor of Data Processing the award of a contract to **DELL MARKETING LP, One Dell Way, Round Rock, TX 78682,** for the Purchase of Dell Computers, Servers and Replacement Parts for Dell Computers for Various City Buildings for the period of September 1, 2014 through December 31, 2014 at a cost not to exceed $100,000.00, under their State Contract #70256; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #70256 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C** 5:34-1.2; now, therefore, be it; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **DELL MARKETING LP, One Dell Way, Round Rock, TX 78682,** for the Purchase of Dell Computers, Servers and Replacement Parts for Dell Computers for Various City Buildings for the period of September 1, 2014 through December 31, 2014 at a cost not to exceed $100,000.00, under their State Contract #70256.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, 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 the award of a contract to **RICOH USA, INC., 19 Chapin Road, P. O. Box 2008, Pine Brook, New Jersey 07058,** for payment of cost per copy on existing leased copiers for various departments during the period September 1, 2014 through August 31, 2015 at a cost not to exceed $50,000.00, under their State Contract #64039; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #64039 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C** 5:34-1.2; now, therefore, be it; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **RICOH USA, INC., 19 Chapin Road, P. O. Box 2008, Pine Brook, New Jersey 07058,** for payment of cost per copy on existing leased copiers for various departments during the period September 1, 2014 through August 31, 2015 at a cost not to exceed $50,000.00, under their State Contract #64039.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, 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 the award of a contract to **CHAS S. WINNER, INC., DBA Winner Ford, 250 Berlin Road, Cherry Hill, New Jersey 08034,** for the purchase of four 2015 Ford 350 4wd chassis cabs and options to be added to the City fleet for a total of $192,444.00 under its State Contract #83558; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 15-01348, charging the amount of $192,444.00 to Account No. X-04-55-999-X40-001, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #83558 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C** 5:34-1.2; now, therefore, be it; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **CHAS S. WINNER, INC., DBA Winner Ford, 250 Berlin Road, Cherry Hill, New Jersey 08034,** for the purchase of four 2015 Ford 350 4wd chassis cabs and options to be added to the City fleet for a total of $192,444.00 under its State Contract #83558.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, 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 the Public Works the award of a contract, to **CLEVELAND AUTO & TIRE CO., 462 Third Avenue, Elizabeth, New Jersey 07206,** for Tires and Tubes for Public Works, Police and Fire Department vehicles for the period of September 10, 2014 through March 31, 2015 at a cost not to exceed $175,000.00 under their State Contract #82528; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #82528 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C** 5:34-1.2; now, therefore, be it; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **CLEVELAND AUTO & TIRE CO., 462 Third Avenue, Elizabeth, New Jersey 07206,** for Tires and Tubes for Public Works, Police and Fire Department vehicles for the period of September 10, 2014 through March 31, 2015 at a cost not to exceed $175,000.00 under their State Contract #82528.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that during the upcoming 350th Anniversary Celebration of the City of Elizabeth, Kean University will provide Blue Bus/Trolley transportation for visitors to the City of Elizabeth on October 19, 2014. Visitor transportation will take place from the Kean University Parking Lot at the STEM Building and will deliver visitors along Elizabeth Avenue from Union Square to the First Presbyterian Church on Broad Street in the City of Elizabeth for the historical re-enactment; and

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to execute all necessary documents for facilitating visitor transportation to and from Kean University for the 350th Anniversary Celebration of the City of Elizabeth; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute all necessary documents between the City of Elizabeth and Kean University, to provide Blue Bus/Trolley transportation for facilitating visitor transportation to and from Kean University for the 350th Anniversary Celebration of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], 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 the award of a contract to **Enpointe Technology Sales, Inc., 18701 South Figueroa Street, Gardena, CA 90248-4506;** with the third party service provider being **DRS Imaging, 43 Fadem Road, Springfield, New Jersey 07081,** for the purchase of Cloud Based Software as a Service in the Form of Electronic Data Storage of Bureau of Construction documents at a cost of $51,453,65 under state contract #77562; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-09883, charging the amount of $51,500.00 to Account No. 4-01-20-170-CON-32, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #77562 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **Enpointe Technology Sales, Inc., 18701 South Figueroa Street, Gardena, CA 90248-4506;** with the third party service provider being **DRS Imaging, 43 Fadem Road, Springfield, New Jersey 07081,** for the purchase of Cloud Based Software as a Service in the Form of Electronic Data Storage of Bureau of Construction documents at a cost of $51,453,65 under state contract #77562.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested an amendment to the current Interlocal Agreement covering the City of Elizabeth's Fiber Connection and Maintenance which was authorized by City Council on September 13, 2011 for a term of five years beginning January 1, 2012 through December 31, 2016 with the right to extend the agreement for either two successive annual terms or one two year term for a total term not to exceed five years to include the installation of twelve (12) strands of Fiber (Lateral) between 472 Catherine Street, Elizabeth, New Jersey (Engine 6, new firehouse) and One Police Plaza; and

WHEREAS, there is a single non-recurring installation charge in the amount of $62,000.00 with a $1,000.00 per month maintenance charge; and

WHEREAS, the term of this amended agreement is from March 29, 2012 to December 31, 2017; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 15-02379, charging the amount of $62,000.00 to Account No.5-01-20-140-DPR-307 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth amend the resolution adopted September 13, 2011, approving an Interlocal Agreement with the County of Union, covering the City of Elizabeth's fiber connection and maintenance, specifically to include the installation of twelve (12) strands of fiber (lateral) between 472 Catherine Street, Engine 6, and One Police Plaza, with a single non-recurring installation charge in the amount of $62,000.00, with a $1,000.00 per month maintenance charge and to extend the term of the contract to December 31, 2017.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on July 22, the City Council of the City of Elizabeth adopted a resolution 1) Reinstating the tax exemption previously granted to Burnett Investors Urban Renewal Corporation for a Project located at 111-113 First Street; 2) approving an agreement between the City and the first mortgage lender on payments of certain amounts due for delinquent PILOT payments; and 3) removing this property from the list of properties scheduled for tax sale upon entering into a payment plan for unpaid sub-account taxes; and,

WHEREAS, said resolution directed that the settlement be reduced to a writing; and,

WHEREAS a form of settlement agreement embodying the terms, conditions and obligations between the City and the Community Preservation Corporation has been prepared by the Law Department and submitted to City Council; and,

WHEREAS, the respective obligations of both the City and the Community Preservation Corporation have been substantially performed at this time; now therefore be it,

RESOLVED that the mayor is hereby authorized to execute the proposed settlement agreement, and any other agreements necessary and proper to accomplish the settlement approved by this Council on July 22, 2014, in substantially the form provided to this Council so that all the terms of the settlement agreement may be properly memorialized.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on July 22, the City Council of the City of Elizabeth adopted a resolution 1) Reinstating the tax exemption previously granted to 107 First Street Realty Urban Renewal Corporation for a Project located at 105-109 First Street; 2) approving an agreement between the City and the first mortgage lender on payments of certain amounts due for delinquent PILOT payments; and 3) removing this property from the list of properties scheduled for tax sale upon entering into a payment plan for unpaid sub-account taxes; and,

WHEREAS, said resolution directed that the settlement be reduced to a writing; and,

WHEREAS a form of settlement agreement embodying the terms, conditions and obligations between the City and the Community Preservation Corporation has been prepared by the Law Department and submitted to City Council; and,

WHEREAS, the respective obligations of both the City and the Community Preservation Corporation have been substantially performed at this time; now therefore be it,

RESOLVED that the mayor is hereby authorized to execute the proposed settlement agreement, and any other agreements necessary and proper to accomplish the settlement approved by this Council on July 22, 2014, in substantially the form provided to this Council so that all the terms of the settlement agreement may be properly memorialized.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the following property owner(s) has (have) filed the necessary papers and is (are) entitled to a Senior Citizen (S1) or Disability Deduction (D1), and a Veteran Deduction (V1 & WV) for the 2014 Tax Year and,

WHEREAS, the Tax Assessor has approved same, now therefore, be it

RESOLVED, the Tax Collector is hereby authorized to credit said individual's taxes in the amount of $250.00 (S1 & D1) & $250.00 (V1 & WV) for the 2014 Tax Year as follows.

Acct. No.	Property Location	Name	Ded. Code
1-135.P	141 Port Ave	Costa, M & A	D1
5-899	312-314 Marshall St	Blanco, J & S	S1
7-1326	744 Trumbull St	Britt, J	S1
10-51	700-702 Bailey Ave	Benedito, L	S1
13-7	19 Bellevue St	Reyes, F & A	S1

5@$250.00ea.=$1,250.00

Which was adopted by the following vote:

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

NEGATIVE: None

Acct.No.	Property Location	Name	Ded.Code
3-684.A	455 Livingston St	Szczepansky, P	V1
10-607	844 Emerson Ave	Rodriguez, A	W1
10-2281	701-703 Wyoming Ave	Garcia, R	V1

3@$250.00ea.=$750.00

9/16/2014 - TKJ

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for the Bloomberg Philanthropies -2014 Transform Your City Through Innovation in the amount not to exceed $2,000,000.00; and

WHEREAS, the 2014 Transform Your City Through Innovation competition, which is sponsored by Bloomberg Philanthropies, is accepting applications from cities to deliver results by combining best-in-class ideas and techniques with structured, data-driven approaches. Cities are chosen based on their ability to demonstrate their ability to demonstrate their commitment to innovation delivery and ability to apply methods to solve important challenges; and

WHEREAS, funding will be awarded in a three-year grant, with annual funding ranging from $250,00.00 to $1,000,00.00 per year. Grant amounts will be based on applicant's proposed staffing structure and requirements. Cities will also be expected to match the grant at a 1-3 ratio; and

WHEREAS, it is the Department of Health and Human Services' intent to apply anticipated funding to support staff positions at the animal shelter in the City of Elizabeth. The current site of the Elizabeth Animal Shelter is in disrepair and requires additional staff to address technology and recording needs as they relate to the homeless, abandoned and lost animals throughout the community; and

WHEREAS, furthermore, additional staff will enable expanded adoption outreach to occur. These improvements will enhance current services and have a positive impact within the City of Elizabeth; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute all appropriate documents to apply for the 2014 Transform Your City Through Innovation sponsored by the Bloomberg Philanthropies, in an amount not to exceed $2,000,000.00.

Councilman Mazza commended Director Garlic for trying to find money to renovate the Animal Shelter.

Councilman Torres echoed his colleague's sentiments and commended the Director for her persistence because animals are important.

Councilman Torres stated that the Mack Building is a "pill to swallow."

Councilwoman Perkins-Auguste commended the Director of Health for trying to find ways to resolve rehabilitating the Animal Shelter. She stated further that she hopes we are successful.

Council President Grova commended the Director. He continued that in each Council person's package there is a letter commending the Animal Shelter. He hopes that the grant is awarded.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the State of New Jersey Under Chapter 226, Laws of 1991, provides for nursing services to non-public schools through public school districts; and

WHEREAS, the City of Elizabeth, through its Department of Health and Human Services, is desirous of providing these nursing services for seven (7) non-public schools in the City of Elizabeth for the period September 1, 2014 through June 30, 2015; and

WHEREAS, the City of Elizabeth will receive $153,468.00 from the Elizabeth Board of Education to provide these services to seven (7) non-public schools with an enrollment of 1,657 pupils; and

WHEREAS, this money will be used as offset revenue for the Department of Health and Human Services to pay for the public health nurses and administrative fees; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the Mayor and City Clerk are hereby authorized to execute an agreement with the Board of Education of the City of Elizabeth to provide nursing services for seven (7) non-public schools through public school districts in the amount of $153,468.00 from the Board of Education of the City of Elizabeth for the period September 1, 2014 through June 30, 2015.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

WHEREAS, the Business Administrator has requested authorization for the approval of UEZ Zone Assistance funds in the amount of $969,900.00 for a capital improvement and modernization project at the Elizabeth Midtown Parking Garage which will provide improved quality for service to the constituents of the City of Elizabeth, commuters, and others that use the garage and allow the garage to function more cost efficiently. The contract period is from October 1, 2014 through October 31, 2016;and

WHEREAS, in the amended proposal dated, dated September 12, 2014, on the second page, under the title "Project Description" stating that the project will be performed "under the supervision of the Elizabeth Parking Authority, who will be the operating entity for Elizabeth Development Company regarding the parking garage beginning December 1, 2014"; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City officials to utilize UEZ Zone Assistance funds Zone Assistance funds in the amount of $969,900.00 for a capital improvement and modernization project at the Elizabeth Midtown Parking Garage which will provide improved quality for service to the constituents of the

City of Elizabeth, commuters, and others that use the garage and allow the garage to function more cost efficiently under the supervision of the Elizabeth Parking Authority who will be the operating entity for the Elizabeth Development Company beginning December 1, 2014. The contract period is from October 1, 2014 through October 31, 2016; and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], Keenan, Cedeno, Gallman, Mazza and President Grova, - A 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 amend the resolution adopted November 12, 2013 which authorized CD-39 Funding Year 2013 Emergency Solutions Grant (ESG) FY 2013 agreements for Funding Year for the Urban League of Union County to extend the contract term from July 1, 2013 - June 30, 2014 to December 31, 2014; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to amend the resolution adopted November 12, 2013 which authorized CD-39 Funding Year 2013 Emergency Solutions Grant (ESG) FY 2013 agreements for Funding Year for the Urban League of Union County to extend the contract term from July 1, 2013 - June 30, 2014 to December 31, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], 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 that on March 7, 2014, the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to be qualified to provide the City of Elizabeth with Civil and Environmental Engineering Services in connection with the demolition of 155 First Street (Mack Building) as per their proposal dated February 3, 2014; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to provide Civil engineering services on a time and material basis, for actual time and expenses at a cost not to exceed $89,440.00 plus reimbursables in connection with the demolition of 155 First Street (Mack Building); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 15-02367, charging the amount of $89,440.00 to Account No.X-04-999-X29-001 of the Municipal Budget are on file in the Office of the City Clerk; and

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

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

WHEREAS, the contract is awarded through a fair and open process in accordance with **N.J.S.A**. 19:44A-20.5, et Seq., and **N.J.S.A**. 40A:11-5 (a) (i); and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to provide Civil engineering services on a time and material basis, for actual time and expenses at a cost not to exceed $89,440.00 plus reimbursables in connection with the demolition of 155 First Street (Mack Building);

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

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], 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 has advised that on March 7, 2014, the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to be qualified to provide the City of Elizabeth with Civil and Environmental Engineering Services in connection with the demolition of 625 Pulaski Street as per their proposal dated August 27, 2014; and

WHEREAS, the City recently purchased this property to be used for recreation purposes; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to provide Civil engineering services on a time and material basis, for actual time and expenses at a cost not to exceed $66,115.00 plus reimbursables in connection with the demolition of 625 Pulaski Street; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 15-02371, charging the amount of $66,115.00 to Account No.X-04-999-X29-001 of the Municipal Budget are on file in the Office of the City Clerk; and

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

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

WHEREAS, the contract is awarded through a fair and open process in accordance with **N.J.S.A**. 19:44A-20.5, et Seq., and **N.J.S.A**. 40A:11-5 (a) (i); and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to Civil engineering services on a time and material basis, for actual time and expenses at a cost not to exceed $66,115.00 plus reimbursables in connection with the demolition of 625 Pulaski Street.

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

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], 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 that on May 13, 2014 your Honorable Body approved a resolution authorizing the City of Elizabeth to award a contract **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to provide professional engineering services at a cost not to exceed $108,550.00 in connection with environmental consulting engineering services at Veterans Memorial Waterfront Park; and

WHEREAS, the scope of the work included excavation of the top 10 to 12 inches of soil in landscape areas to be disposed of offsite. In order to limit the amount of soil being removed, T&M performed additional services to prepare a grading plan for proposed elevations at the Site. Additional surveying and engineering was required to install stakeouts for cut and fill. this was the most cost effective way to limit the amount of soil removal; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 15-02374, charging the amount of $9,500.00 to Account No. X-04-55-999-X57-001, 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 the amendment to the contract awarded on May 13, 2014 to **T& M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** which provided environmental consulting engineering services to include additional surveying and engineering was required to install stakeouts for cut and fill. This was the most cost effective way to limit the amount of soil removal at an additional cost not to exceed $9,500.00 for Veterans Memorial Waterfront Park for a total contract amount of $118,050.00. Ninety percent of the allowable cots will be reimbursed by FEMA.

Which was adopted by the following vote:

AFFIRMATIVE: Torres, Keenan, Cedeno, Gallman, Mazza, - 5

NEGATIVE: Perkins-Auguste, Cuesta and President Grova - 3

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on January 28, 2014 your Honorable Body approved a resolution authorizing the City of Elizabeth to award a contract **T&M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** to provide professional engineering services at a cost not to exceed $98,350.00 in connection with environmental consulting engineering services at Veterans Memorial Waterfront Park; and

WHEREAS, the scope of the work consisted of preparation of a preliminary assessment, preparation of LSRP retention forms, payment of NJDEP fees, preparation of an initial receptor evaluation, well search and public notification. The contract also included site investigation, remedial investigation to characterize the extent of the historic fill at the site testing and disposal of 500 tons of impacted and unsuitable materials from the flag pole footings, conduit and fence post excavations; and

WHEREAS, the as-built quantity of impacted material loaded and transported for off-site disposal exceed the amount in T&M's proposal by 247 tons resulting in an increased cost of $12,190.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 15-02374, charging the amount of $12,190.00 to Account No. X-04-55-999-X57-001, 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 the amendment to the contract awarded January 28, 2014 to **T& M Associates, Eleven Tindall Road, Middletown, NJ 07748-2792,** which provided environmental consulting engineering services for $98,350.00, to include the as-built quantity of impacted material loaded and transported for off-site disposal exceed the amount in T&M's proposal by 247 tons resulting in an increased cost of $12,190.00 for Veterans Memorial Waterfront Park for a total contract amount of $110,540.00.

Which was adopted by the following vote:

AFFIRMATIVE: Torres, Keenan, Cedeno, Gallman, Mazza, - 5

NEGATIVE: Perkins-Auguste, Cuesta and President Grova - 3

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Transit Village project.

WHEREAS, through this application, the City of Elizabeth anticipates implementing a new traffic light system at the intersection of **Morris Avenue and Westfield Avenue.** As a Transit Village designee and thriving urban center, this application will further demonstrate the City of Elizabeth's commitment to improving pedestrian connections and enhancing vehicular flow in close proximity to the Midtown Train Station.

WHEREAS, the Department of Transportation's Transit Village Grant Program, which "...awards grants for non-traditional transportation-related projects to New Jersey municipalities designated as Transit Villages..., which include an area defined as a half-mile radius circle around a transit facility ...Types of projects eligible for funding under this program include, but are not limited to, construction of: bicycle/pedestrian paths and lanes, way-finding signage, improvements to transit stations and traffic calming measures.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application, which upon completion and electronic submission, will reflect an application number determined by the New Jersey Department of Transportation, on behalf of the City of Elizabeth.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Elizabeth and that their signature(s) constitute(s) acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for Municipal Aid Funding.

WHEREAS, The New Jersey Department of Transportation's Municipal Aid Program provides funding for "...road improvement projects such as resurfacing, rehabilitation or reconstruction and signalization...Applications receive points based on various criteria including existing road conditions, average daily traffic, safety improvements and access to nodes..."

WHEREAS, With this anticipated funding, the City of Elizabeth anticipates implementing a new traffic light system on Elizabeth Avenue at the intersection of **Elizabeth Avenue, South Street and Jaques Street.** These improvements would greatly contribute to an improved pedestrian experience, reduce accidents and enhance the overall safety of all individuals.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application, which upon completion and electronic submission, will reflect an application number determined by the New Jersey Department of Transportation, on behalf of the City of Elizabeth.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Elizabeth and that their signature(s) constitute(s) acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Bikeway project.

WHEREAS, with anticipated grant funds, the City of Elizabeth will expand upon the Elizabeth River Trail project by implementing Phase 4 (Upstream) of the initiative, to include but not be limited to: design elements as well as the incorporation of lighting, benches, bike racks, signage, garbage and recycling receptacles. This phase of the Elizabeth River Trail consists of the area along the Elizabeth River from South Broad Street to West Grand Street.

WHEREAS, the New Jersey Department of Transportation's Bikeway Grant Program "provides funds to counties and municipalities to promote bicycling as an alternate mode of transportation in New Jersey. A primary objective of the Bikeway Grant Program is to support the State's goal of constructing 1,000 new miles of dedicated bike paths."

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Elizabeth, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as to be determined by the completion of the electronic application to the New Jersey Department of Transportation on behalf of the City of Elizabeth.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Elizabeth and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Safe Streets to Transit project.

WHEREAS, With this anticipated funding, the Department of Public Works will implement With this anticipated funding, the Department of Public Works will implement a new traffic light system at the intersection of Broad Street and East / West Grand Street.

WHEREAS, As a main thoroughfare, heavy volumes of vehicular and pedestrian traffic travel along Broad Street and East / West Grand Street. The abovementioned improvements would assist in improving overall pedestrian safety and travel along this busy passageway.

WHEREAS, objectives of the Safe Streets to Transit Program include: improving safety and accessibility for mass transit riders walking or bicycling to transit facilities; facilitate the implementation of projects that will improve safety in the vicinity of transit facilities.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Elizabeth, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as to be determined by the completion of the electronic application to the New Jersey Department of Transportation on behalf of the City of Elizabeth.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Elizabeth and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, 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 requested that your Honorable Body adopt a resolution authorizing the proper City Officials to request the NJDOT perform traffic signal upgrades at Elmora Avenue (NJ Route 439) with Edgar Road; Elmora Avenue (NJ Route 439) with Rahway Avenue (NJ Route 27) Left turn Phasing and Signal Display Upgrades; and

WHEREAS, per New Jersey Department of Transportation (NJDOT) policy number 346 - "Maintenance Work Order Electrical Cost Sharing" - for existing traffic control devices (section IV.B.), the City of Elizabeth will be required to assume 25% of the total costs to revise the devices. The State would assume the remaining 75% of the construction costs; and

WHEREAS, the Chief Financial Officer will provide funding from the capital improvement fund for the 25% share. The total cost of the upgrades is unkown but could be several hundred thousand per intersection. NJDOT will perform an analysis of each intersection to estimate the construction cost; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to request the New Jersey Department of Transportation to perform traffic signal upgrades at the intersection of Elmora Avenue (NJ Route 439) and Edgar Road; Elmora Avenue (NJ Route 439) with Rahway Avenue (NJ Route 27) Left Turn Phasing and Signal Display upgrades with the City assuming 25% of the total costs to revise the devises.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **144 S. Park Street, Elizabeth, New Jersey 07206,** as follows, pursuant to the recommendation of the Elizabeth Police Department:

along the South curb line of S. Park Street

beginning at a point 239' West of Second Street

and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted] 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 is privileged in having thousands of citizens who are Italian ancestry and they are among the most industrious in our society. The Elizabeth Chapter of UNICO National would like the support of the City of Elizabeth in declaring the month of October 2014, Italian-American Heritage Month; and

WHEREAS, this is the 17th year that the City of Elizabeth will officially celebrate Italian-American Heritage; and

WHEREAS, to honor this occasion there will be a flag raising ceremony at City Hall on October 16, 2014 at 12:00 p.m.; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth, that the month of October 2014 is hereby declared Italian -American Heritage Month; and be it

FURTHER RESOLVED that this resolution will be recorded in full upon the minutes of City Council.

Councilman Mazza questioned the date for the flag raising being October 16, 2014.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

~~September 15, 2014~~
~~September 18, 2014~~

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

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

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

ALLIED OIL COMPANY	5-01-31-447	$	7,188.44
AVAYA, INC.	5-01-31-440	$	6,330.86
CONSTELLATION NEW ENERGY, INC.	5-01-31-430	$	9,565.23
DIRECT ENERGY BUSINESS	5-01-31-446	$	88.71
ELIZABETEHTOWN GAS	5-01-31-446	$	2,516.43
FLEECOR TECHNOLOGIES SERVICES	5-01-31-460	$	97,671.23
NRG BUSINESS SOLUTIONS	5-01-31-435	$	378.09
PSE&G	5-01-31-430	$	76,753.52
SOUTH JERSEY ENERGY	5-01-31-430	$	3,051.69
SPRINT	4-01-31-440	$	3,128.59
VERIZON	5-01-31-440	$	8,064.50
VERIZON WIRELESS	5-01-31-440	$	16,028.29
DIRECT ENERGY BUSINESS	4-01-31-446	$	17.98
ELIZABETHTOWN GAS	5-01-31-446	$	387.85
NATIONAL TERMINAL, INC.	5-01-31-447	$	4,062.21
NRG BUSINESS SOLUTIONS	4-01-31-430	$	4,469.77
PSE&G	5-01-31-430	$	45,129.35
SPRINT SPR 09	5-01-31-440	$	571.80
SPRINT SPR11	4-01-31-440	$	1,777.78
VERIZON	5-01-31-440	$	37,742.00
VERIZON COMMUNICATIONS, INC.	5-01-31-440	$	491.78

Which was adopted by the following vote:

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

NEGATIVE: None

September 23, 2014

BY COUNCIL AS A WHOLE:

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

ORGANIZATION	AG	B.L.	R.L.	DATE
The Rotary Club of Elizabeth			5344	09-12-14

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], 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 would like to recognize Onofrio Vitullo, as UNICOs 2014 Citizen of the Year; and

WHEREAS, Onofrio Vitullo is extremely proud of his heritage. Onofrio is the son of Italian-American parents who came from humble circumstances. Through their strong work ethic, and cultural traditions, they raised Onofrio, his brother, and his two sisters to be model American citizens; and

WHEREAS, upon returning in 1974 from his service in the United States Navy, Onofrio began his career as an Elizabeth Firefighter. Through hard work and tireless dedication, he was promoted to the rank of Captain and assigned to Rescue Company #1; and

WHEREAS, after thirty rewarding years of service to the citizens of the City of [Elizabeth, Onofrio reluctantly decided it was time to retire in 2004. Mindful of Onfrio's continued dedication and character, Mayor J. Chrisitan Bollwage once again called on "Nof" to serve the City in the role of Fire Director; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth proudly recognizes Onofrio Vitullo, Elizabeth Fire Director for being honored the 2014 Citizen of the Year by UNICO, Elizabeth Chapter. Onofrio is respected as a passionate public servant and a proud member of the Italian-American community.

FURTHER RESOLVED that a certified copy of this resolution be spread upon the minutes of City Council and a certified copy be sent to Onofrio Vitullo.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Torres, [redacted], 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 would like to commend Joe Picaro for his years of public service; and

WHEREAS, Joe was born in Elizabeth in 1942 and was raised in the Peterstown section among a number of extended family members. He is the second of three sons; and

WHEREAS, Joe went to St. Michael's Grammar School and continued at Sacred Heart High School, graduating in 1960. There he met his wife Dorothy Schlaer. They married and raised three sons: Louis, Frank and Jimmy; and

WHEREAS, Joe completed his education at Fairleigh Dickenson University, achieving a Masters Degree in Administration; and

WHEREAS, he became the Assistant Principal at St. Patrick's High School in Elizabeth in 1971 and in 1991 Joe became the Principal. Joe remained the Principal of St. Patrick's High School until the school closed in 2011; and

WHEREAS, Joe served as transitional headmaster for one year at the newly formed Patrick School in Elizabeth; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth extends to Joe Picaro its congratulations and wishes to express to him the City Council's best wishes for continued happiness and good health in the future; and be it

FURTHER RESOLVED that as a token of appreciation to Joe Picaro that this resolution be spread in full upon the minutes of this meeting of City Council and that the Municipal Clerk be directed and authorized to forward a certified copy of this resolution to Joe Picaro.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, Jamil Cromartie has selfishly served in assisting in the Citywide Back to School Back Bag and School Supplies Giveaway; and

WHEREAS, he uses his personal funds to purchase school supplies and assists in giving the book bags to the children of the City of Elizabeth; and

RESOLVED that the City Council of the City of Elizabeth commends **Jamil Cromartie,** in recognition for his many contributions to the City of Elizabeth; and be it

FURTHER RESOLVED that a certified copy of this resolution be spread upon the minutes of City Council and a certified copy be sent to **Jamil Cromartie.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Santa Colletti (nee Maniscalco) 90; and

WHEREAS, Santa Colletti was born in Ribera, Italy. In 1961, she came to the United States and settled in the Peterstown section of Elizabeth; and

WHEREAS, Santa is survived by her daughters, Maria Baiamonte, Anna Sompel; sons, Charles Colletti and Anthony Colletti, seven grandchildren, and six great-grandchildren. She is predeceased by her beloved husband Paolo Colletti and son Joseph Colletti; now therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Santa Colletti to her family and friends; now, and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Eva Torres; and

WHEREAS, Eva Torres was the beloved mother to Febo Torres, a Public Works Inspector with the City of Elizabeth; and

WHEREAS, Eva Torres is survived by her son, Febo Torres and his wife, Cindy. She was also a loving grandmother to two children; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Eva Torres to her family and friends; now, and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Gertrude M. Hollinshed Johnson, a lifelong resident of the City of Elizabeth; and

WHEREAS, she is survived by her loving and devoted husband, Russell, daughters, Cynthia and Talisha; two sisters, along with a host of other loving relatives and dear friends; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Gertrude M. Hollinshed Johnson to her family and friends; now, and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Russell "Rusty" Harris" 64; and

WHEREAS, surviving are Russell's loving parents, Ann and Russell Harris; his sisters, Patricia Guidetti, Kathleen Brophy, mother-in-law, Santa Steele and numerous sisters and brothers-in-law, nieces and nephews and lifelong 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 Russell "Rusty" Harris; and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City of Elizabeth has learned of the recent death of Deacon John B. Johnson, 77; and

WHEREAS, Deacon John leaves his loving and devoted wife, Hattie Johnson; one daughter, Floria Thomas, four brothers, three sisters, two grandchildren and three great-grandchildren and a host of nieces, nephews, other relatives and 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 Deacon John B. Johnson; and be it

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

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

Councilman Torres moved that City Council do now adjourn,
Which was carried unanimously.

Whereupon Council President Grova declared City Council adjourned at 9:20 p.m.

APPROVED

MANNY GROVA, JR.
President of City Council

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