

PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
December 22, 2015
7:30 p.m.

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

President Perkins-Auguste announced that this regular meeting is listed in the "annual notice" have been mailed or delivered to the Star Ledger, Home News Tribune, and Cablevision of Elizabeth and posted and filed in the city clerk's office in compliance with the terms of the Open Public Meetings Law, Chap. 231, P.L. 1975 on December 23, 2015.

PRESENT: Council members-at-Large Frank J. Cuesta; Manny Grova, Jr.
Council members Carlos Torres, 1st Ward; Nelson Gonzalez, 2nd Ward; Kevin Kinieri,
3rd Ward; Carlos Cedeno, 4th Ward; William Gallman, 5th Ward; Frank Mazza, 6th Ward,
And Council President Perkins-Auguste, Council member-at Large -9

ABSENT: None

ALSO PRESENT: Rocco DiPaola Second Assistant

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

EXCUSED: Councilman Cuesta was EXCUSED from the meeting at 8:25 p.m.

PUBLIC SPEAKING

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

*Before the adjournment:

Councilman Grova wished everyone "Happy Holidays" and commended Council President Perkins-Auguste for a productive year.

Council President Perkins-Auguste thanked her colleagues for having a great year. She continued that it wasn't planned to have the Police Officers and the students here together tonight. We see that people are working with the children in our community.

Councilman Torres thanked Council president for her leadership. You truly care and fight for people.

PRESENTATIONS

Council President Perkins-Auguste announced that there will be several presentations.

Councilman Torres wished everyone a Merry Christmas and Happy New Year.

Councilman Torres announced that he is commending police officers, Union County Prosecutors, and Camera Personnel who were involved in the apprehension of individual of an armed robbery on May 13, 2015 in Elizabeth. Councilman Torres then read the commendation.

Councilman Grova announced that the Police Officers were also recognized by the 200 Club Valor Award for outstanding service.

Next Council President Perkins-Auguste announced that she will be presenting commendations to Mr. Kwao Taylor and the students in the Lot Program. She stated that Mr. Taylor is working with young men between the ages of 8 to 14 years old. You can't have a program if you don't have participants. She continued that to teach young men how to tie a tie says something about Mr. Taylor.

Councilman Torres thanked Mr. Taylor for starting this program.

Councilman President Perkins-Auguste announced that the Pop Earner Eastwyk Saints have come before City Council previously and this year they brought home the "gold".

Coach Sean McLain commended his team. This is their third season and he appreciates the support from the parents, coaches, and the City.

Councilman Torres stated that when he was in high school Elizabeth was known as the "City of Champions." He continued that other teams knew they were not going to win. Remember it's team work.

Council President Perkins-Auguste announced that the next group to be honored are our Public School Varsity Soccer team.

Councilman Mazza announced that he was a former soccer coach and students must do good in class in order to play on the team. He stated that he is very proud of this team because they ended the season with a record of 18 wins, 1 loss, 1 tie.

Councilman Grova expressed how proud he is of this team and then read the commendation.

EXCUSED: Councilman Cuesta was excused from the meeting at 8:45 p.m.

PUBLIC HEARINGS

President Perkins-Auguste announced that the next business in order would be a public hearing on Ordinance No. 4654 entitled:

AN ORDINANCE TO CREATE CHAPTER 10.16.050 TO ESTABLISH AN 80,000 POUND OVERWEIGHT VEHICLE ZONE LIMIT-STREETS AFFECTED.

This ordinance was adopted on its first reading at the meeting of City Council held on December 8, 2015.

The Notice of Public Hearing was published in the Star Ledger issue of December 14, 2015

The Clerk read the foregoing ordinance and President Perkins-Auguste 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, President Perkins-Auguste declared the public hearing closed.

President Perkins-Auguste announced that the next business in order would be a public hearing on Ordinance No. 4655 entitled:

AN ORDINANCE TO AMEND CHAPTER 10.40.070 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "NO PARKING OF TRUCKS-PORION AFFECTED" SPECIFICALLY TO ADD PAPERETTI PLAZA, BOTH SIDES, FOR THE ENTIRE LENGTH; AND TO ADD NECK LANE, BOTH SIDES, FROM SPRING TO VIRGINIA STREET.

This ordinance was adopted on its first reading at the meeting of City Council held on December 8, 2015.

The Notice of Public Hearing was published in the Star Ledger issue of December 14, 2015.

The Clerk read the foregoing ordinance and President Perkins-Auguste 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, President Perkins-Auguste declared the public hearing closed.

President Perkins-Auguste announced that the next business in order would be a public hearing on Ordinance No. 4656 entitled:

**AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT
OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR
ANTONINO COLLETTI, 324 JOHN STREET, ELIZABETH, N.J. 07202**

This ordinance was adopted on its first reading at the meeting of City Council held on December 8, 2015.

The Notice of Public Hearing was published in the Star Ledger issue of December 14, 2015.

The Clerk read the foregoing ordinance and President Perkins-Auguste 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, President Perkins-Auguste declared the public hearing closed.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated December 10, 2015, from the Assistant Business Administrator requesting to amend Chapter 5.20.070 of the Code of the City of Elizabeth for the addition of a fine for a violation of Autocabs prohibited to operate as taxicabs shall be a minimum of \$1,250.00 for the first offense and each additional offense. Which was received.

By the Clerk:

Letter dated December 11, 2015, from the Assistant Business Administrator requesting to amend the Code of the City of Elizabeth Chapter 5.100.010, Definitions, specifically to include luggage and packages; Chapter 5.100.020, Certification of Public Convenience and Necessity and Permit Required - Classification by Type of Permit and Certificate-Exception, specifically to include a penalty of \$1,250.00 per offense; and Chapter 5.100.220(D), Regulations Governing Rates of Fare, specifically to include no charge for the first piece of luggage under 24 inches; \$1.00 charge for each additional piece of luggage regardless of size; no charge shall be made for shopping bags or packages. Which was received.

By the Clerk:

Letter dated December 11, 2015, from the Assistant Business Administrator recommending the award of a contract to Ricoh Americas Corporation, 5 Dedrick Place, West Caldwell, NJ, for the maintenance of owned photocopiers, new and/or replacement copiers for various departments for the period of November 30, 2015 through December 31, 2015 at a cost not to exceed \$5,000.00. Which was received.

By the Clerk:

Letter dated December 11, 2015, from the Assistant Business Administrator recommending the award of a contract to Thomson Reuters, a Division of West Publishing Corporation, 610 Opperman Drive, Eagan, MN, for the purchase of Web-Based Data Access Services for the Law Department and Municipal Court Division for a period of time from December 1, 2015 through January 31, 2016 at a cost not to exceed \$16,000.00. Which was received.

By the Clerk:

Letter dated December 11, 2015, from the Assistant Business Administrator recommending the award of a contract to Edmunds & Associates, Inc., 301A Tilton Road, Northfield, NJ, for Software and Hardware Support for proprietary software for the period of January 1, 2016 through December 31, 2016 in the amount of \$33,285.00. Which was received.

By the Clerk:

Letter dated December 14, 2015, from the Assistant Business Administrator recommending the award of a contract to Wireless Communications & Electronics, 153 Cooper Road, Berlin, NJ, for the purchase of Computers and Computer Accessories for the Fire Department for the period of December 10, 2015 through March 31, 2017 at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated December 14, 2015, from the Assistant Business Administrator recommending the award of a contract to Power Place, Inc., 319 Route 46 West, Rockaway, NJ, for the purchase of a John Deere XUV HPX Utility Vehicle and equipment in the amount of \$26,602.66. Which was received.

By the Clerk:

Letter dated December 15, 2015, from the Assistant Business Administrator recommending the award of a contract to Pierce Manufacturing, Inc., 2400 American Drive, Appleton, WI, for the purchase of two (2) Arrow XT Pumpers, one (1) 61 foot Skyboom Apparatus and one (1) 95 foot Aerial Platform in the total amount of \$2,899,096.13. Which was received.

By the Clerk:

Letter dated December 15, 2015, from the Chief Financial Officer advising that additional grants may be appropriated in the 2016 SFY Budget by budget amendments.

By the Clerk:

Letter dated December 15, 2015, from the Chief Financial Officer advising that in compliance with the SFY 2016 Appropriations Act, it requires that your Honorable Body approve all payments related to accumulated/uncompensated absence benefits. Which was received.

By the Clerk:

Letter dated December 8, 2015, from the Planning and Community Development Director requesting authorization to endorse applications and permits for all governmental agencies such as, but not limited to N. J. Department of Transportation, N.J. Department of Environmental Protection, and US Environmental Protection Agency. Which was received.

By the Clerk:

Letter dated December 9, 2015, from the Planning and Community Development Director requesting that your Honorable Body consider to establish Chapter 8.85 of the Code of the City of Elizabeth entitled: "Abandoned Properties" to enhance the City's opportunities to address abandoned properties by creating a Municipal Abandoned Property List. Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

ORDINANCE NO. 4657

AN ORDINANCE TO AMEND CHAPTER 5.20.070 "AUTOCABS PROHIBITED TO OPERATE AS TAXICABS" OF THE CODE OF THE CITY OF ELIZABETH TO INCLUDE A PENALTY PROVISION FOR A VIOLATION OF CHAPTER 5.20.070(B).

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kiniery, Cedeno, Gallman,
Mazza And President Perkins-Auguste -9

NEGATIVE: None

ORDINANCE NO. 4658

AN ORDINANCE TO AMEND CHAPTER 5.100 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "TAXICABS" SPECIFICALLY TO AMEND THE FOLLOWING SECTIONS: 5.100.010 ENTITLED "DEFINITIONS", SPECIFICALLY TO DEFINE LUGGAGE AND PACKAGES; AMEND SECTION 5.100.020 ENTITLED "CERTIFICATION OF PUBLIC CONVENIENCE AND NECESSITY AND PERMIT REQUIRED-CLASSIFICATION BY PERMIT AND CERTIFICATE -EXCEPTION", SPECIFICALLY TO INCLUDE A PENALTY; AMEND SECTION 5.100.200(D) ENTITLED "REGULATIONS GOVERNING RATES OF FARE" SPECIFICALLY TO INCLUDE CHARGES FOR LUGGAGE AND BAGS.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kiniery, Cedeno, Gallman,
Mazza And President Perkins-Auguste -9

NEGATIVE: None

ORDINANCE NO. 4659

AN ORDINANCE TO ESTABLISH CHAPTER 8.85 OF THE CITY CODE OF THE CITY OF ELIZABETH ENTITLED "ABANDONED PROPERTIES"

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Cueste, Grova, Torres, Gonzalez,
Kiniery, Cedeno, Gallman,
Mazza And President Perkins-Auguste -9

NEGATIVE: None

President Perkins-Auguste announced that public notice will be published fixing Tuesday evening January 12, 2015 at 7:30 P.M., City Council Chambers, City Hall, Elizabeth, N.J. as the time and place that City Council will conduct public hearings and further consider foregoing Ordinance Nos. 4657, 4658, 4659, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

ORDINANCE NO. 4654

AN ORDINANCE TO CREATE CHAPTER 10.16.050 TO ESTABLISH AN 80,000 POUND OVERWEIGHT VEHICLE ZONE LIMIT-STREETS AFFECTED.

WHEREAS, the Director of the Police Department has recommended that an ordinance be established to create an 80,000 pound overweight vehicle zone limit on North Avenue East; now, therefore,

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

SECTION 1. - That Chapter 10.16.050 "An 80,000 Pound Overweight Vehicle Zone Limit-Streets Affected" of the Code of the City of Elizabeth is hereby established as follows:

STREET	LOCATION
North Avenue East	Beginning at a point 440 feet east of the intersection of North Avenue East and Kapkowski Road and continuing east 520 feet to the vacated portion of North Avenue East and its connection to the Port Authority over weight vehicle zone.

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held December 8, 2015.

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 December 14, 2015.

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

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kiniery, Cedeno, Gallman,
Mazza And President Perkins-Auguste -9.

NEGATIVE: None

AN ORDINANCE TO AMEND CHAPTER 10.40.070 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "NO PARKING OF TRUCKS-PORION AFFECTED" SPECIFICALLY TO ADD PAPERETTI PLAZA, BOTH SIDES, FOR THE ENTIRE LENGTH; AND TO ADD NECK LANE, BOTH SIDES, FROM SPRING TO VIRGINIA STREET.

WHEREAS, the Director of the Police Department has recommended that an ordinance be established providing for No Parking of Trucks in the following areas: Papetti Plaza, both sides, the entire length; and Neck Lane, both sides, from Spring Street to Virginia Street; now, therefore,

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

SECTION 1. - That Chapter 10.40.070, "No Parking of Trucks-Portions Affected" of the Code of the City of Elizabeth be amended to add the following:

STREET	SIDE	LOCATION
Papetti Plaza	Both	Entire length
Neck Lane	Both	from Spring Street to Virginia Street

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held December 8, 2015.

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 December 14, 2015.

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

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinlery, Cedeno, Gallman,
Mazza And President Perkins-Auguste -9.

NEGATIVE: None

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT
OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR
ANTONINO COLLETTI, 324 JOHN STREET, ELIZABETH, N.J. 07202

WHEREAS, pursuant to the recommendation of the Elizabeth Police Director, a personalized handicapped parking space for Antonino Colletti should be established in front of 324 John Street, Elizabeth, N.J. 07202; now, therefore,

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

SECTION 1. - A personalized handicapped parking space for Antonino Colletti be established in front of 324 John Street, Elizabeth, N.J. 07202, as follows: along the East curb line of John Street beginning at a point 21.5' North of Fourth 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 December 8, 2015.

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 December 14, 2015.

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

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kiniry, Cedeno, Gallman,
Mazza And President Perkins-Auguste -9.

NEGATIVE: None

NEW BUSINESS

Councilman Torres MOVED for suspension of the rules for the purpose of considering a resolution which did not appear on the agenda, seconded by Councilman Gallman.

Which was carried unanimously.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director the Department of Planning and Community Development has requested your Honorable Body authorize the proper City Officials to apply, accept and sign all appropriate documents for the 2015 Volunteer Income Tax Assistance (VITA) Program; and

WHEREAS, the City of Elizabeth has had great success in its implementation of the Volunteer Income Tax Assistance (VITA) Program, which has enabled tax preparation services to be provided to thousands of residents free of charge. The Program, which is administered in conjunction with the Internal Revenue Service (IRS), has been provided at the Samson Center and Liberty Square Center in past years; and

WHEREAS, working closely with the IRS, residents who cannot afford to pay for tax preparation services are provided with a cost-free alternative. The Tax Preparers, who assist residents with the completion and filing of their required IRS applications, are all volunteers. They receive free training through the IRS and are required to pass a certification exam prior to assisting any individual. Appointments are scheduled for various times throughout the day and evening via the Office of Public Information until the end of tax season; and

WHEREAS, residents begin to inquire in the beginning of the year in order to secure an appointment. In addition to providing a valuable service to the community, this program encourages the complete and accurate filing of tax applications through a trained professional and saves participants filing fees, which is increasingly important during this difficult economic climate; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to apply, accept and sign all appropriate documents for the 2015 Volunteer Income Tax Assistance (VITA) Program for the reasons stated hereinabove.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

The regular order of business was then resumed.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Assistant Business Administrator concurs with the Purchasing Agent's request for the award of a contract to **RICOH AMERICAS CORP., 5 Dedrick Place, West Caldwell, New Jersey 07006**, for the maintenance of owned photocopiers, new and/or replacements copiers for various departments under State Contract #'s 51464, 51465 and 82709 for the period of November 30, 2015 through December 31, 2015 at a cost not to exceed \$5,000.00; and

WHEREAS, the contract in question is determined to fall within the Open-end Contract N.J.A.C. 5:30-11.10 as promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Assistant Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through State of New Jersey Contract #'s 51464, 51465 and 82709 in accordance with the N.J.A.C. 5:34 et.seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; and

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

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **RICOH AMERICAS CORP., 5 Dedrick Place, West Caldwell, New Jersey 07006**, for the maintenance of owned photocopiers, new and/or replacements copiers for various departments under State Contract #'s 51464, 51465 and 82709 for the period of November 30, 2015 through December 31, 2015 at a cost not to exceed \$5,000.00.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gailman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Assistant Business Administrator and the Purchasing Agent have recommended the award of a contract to **Thomson Reuters, a Division of West Publishing Corp., 610 Opperman Drive, Eagan, Minnesota 55123** for the purchase of Web Based Data Access Service for the Law Department and Municipal Court Division for the period of December 1, 2015 through January 31, 2016 at a cost not to exceed \$16,000.00 under State Contract #68460; and

WHEREAS, the contract in question is determined to fall within the Open-end Contract N.J.A.C. 5:30-11.10 as promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Assistant Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through State of New Jersey Contract #68460 in accordance with the N.J.A.C. 5:34 et.seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; and

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

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **Thomson Reuters, a Division of West Publishing Corp., 610 Opperman Drive, Eagan, Minnesota 55123** for the purchase of Web Based Data Access Service for the Law Department and Municipal Court Division for the period of December 1, 2015 through January 31, 2016 at a cost not to exceed \$16,000.00 under State Contract #68460.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Assistant Business Administrator and the Purchasing Agent have recommended the award of a contract to **EDMUNDS & ASSOCIATES, INC., 301A Tilton Road, Northfield, New Jersey 08225** for Software and Hardware Support for proprietary software in the amount of \$33,285.00 for the period of January 1, 2016 through December 31, 2016; and

WHEREAS, in accordance with N.J.A.C. 5:34 et. seq., the award of a contract pursuant to N.J.S.A. 19:44A-20.4 et. seq. be awarded by resolution of the Governing Body; and

WHEREAS, this request is for a 'Non-Fair and Open Process'. This contract meets those requirements because of the following:

1. Purchasing Agent certified that the contract has a value in excess of
\$17,500.00
2. Edmunds & Associates, Inc., (Richard Evoy) has filed a disclosure form certifying that no reportable contribution was made during previous year.
3. The contract contains a requirement prohibiting reportable contributions from being made during the contract; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 16-04559, charging the amount of \$33,285.00 to Account No. 6-01-20-140-DPR-307 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth authorizes the award of a contract to **EDMUNDS & ASSOCIATES, INC., 301A Tilton Road, Northfield, New Jersey 08225** for Software and Hardware Support for proprietary software in the amount of \$33,285.00 for the period of January 1, 2016 through December 31, 2016.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Assistant Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Fire Department the award of a contract to **WIRELESS COMMUNICATIONS & ELECTRONICS, 153 Cooper Road, West Berlin, New Jersey 08091**, for the purchase of Computers and Computer Accessories for the Fire Department for the period of December 10, 2015 through March 31, 2017 at a cost not to exceed \$50,000.00 under State Contract # 89980; and

WHEREAS, the contract in question is determined to fall within the Open-end Contract Rule 5:30-11.10 as promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Assistant Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through State of New Jersey Contract #89980 in accordance with the N.J.A.C. 5:34 et.seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; and

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

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **WIRELESS COMMUNICATIONS & ELECTRONICS, 153 Cooper Road, West Berlin, New Jersey 08091**, for the purchase of Computers and Computer Accessories for the Fire Department for the period of December 10, 2015 through March 31, 2017 at a cost not to exceed \$50,000.00 under State Contract # 89980.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Assistant Business Administrator concurs with the Director of Public Works requesting authorization to award a contract to **POWER PLACE INC., 319 Route 46 West, Rockaway, N.J. 07866** for the purchase of John Deere XUV HPX utility vehicle and equipment in the amount of \$26,602.66 under the Middlesex Regional Educational Services Commission 14/15-04 #65MCESCCPS; and

WHEREAS, the Assistant Business Administrator and the Purchasing Agent have advised that the contract in question is in accordance with the N.J.A.C. 5:34 et.seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-5 (2) (exception to bidding) be awarded by resolution of the Governing Body; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 16-04946, charging the amount of \$26,602.66 to Account No. X-04-55-999-X86-001 (Public Works Equipment), of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **POWER PLACE INC., 319 Route 46 West, Rockaway, N.J. 07866** for the purchase of John Deere XUV HPX utility vehicle and equipment in the amount of \$26,602.66 under the Middlesex Regional Educational Services Commission 14/15-04 #65MCESCCPS.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

WHEREAS, the Assistant Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Fire Department the award of a contract to **PIERCE MANUFACTURING, INC., 2400 American Drive, Appleton, W.I. 54914** for the purchase of Two (2) Arrow XT Pumps, One (1) 61' Skyboom Apparatus and One (1) 95' Aerial Platform Apparatus Utilizing the Houston-Galveston Area Council National Co-Op for a total cost of \$2,899,096.13; and

WHEREAS, the Fire Department is requesting to trade in One (1) 1999 HME Snorkel Fire Truck and Pierce Manufacturing, Inc. has offered a trade in value of \$10,000.00 toward the purchase of the above referenced items. The 1999 HME Snorkel Fire Truck, not needed for public use, has surpassed its useful life and could not be sold due to its age, condition and needed repairs. The \$10,000.00 reduction will be reflected in the cost of the two Arrow XT Pumps; and

WHEREAS, in accordance with the N.J.A.C. 5:34 et.seq., it is requested that the award of any contract pursuant to N.J.S.A. 52:34-6.2(b)(3), be awarded by resolution of the Governing Body; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.16-04840, charging the amount of \$799,909.95 to Account No. X-04-55-999-X89-001(Capital Account Fire Department Skyboom Pumper); Certification No. 16-04841, charging the amount of \$1,099,264.40 to Account No. X-04-55-999-X88-001(Capital Account Tower Ladder Fire Truck); Certification No.16-04842, charging the amount of \$999,921.78 to Account No. X-04-55-999-X87-001 (Capital Account – Fire Department Front Line Pumps (2)), of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it;

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **PIERCE MANUFACTURING, INC., 2400 American Drive, Appleton, W.I. 54914** for the purchase of Two (2) Arrow XT Pumps, One (1) 61' Skyboom Apparatus and One (1) 95' Aerial Platform Apparatus Utilizing the Houston-Galveston Area Council National Co-Op for a total cost of \$2,899,096.13; and be it

FURTHER RESOLVED, that the One (1) 1999 HME Snorkel Fire Truck, not needed for public use, may be used as a trade in with Pierce Manufacturing, Inc. in the sum of \$10,000.00 toward the purchase of the two Arrow XT Pumps.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

20

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning & Community Development has requested that your Honorable Body authorize the Director of Planning & Community Development to endorse applications and permits to the New Jersey Department of Environmental Protection (NJDEP) and the United States Environmental Protection Agency (EPA) and any other governmental agencies; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth authorizes the Director of Planning & Community Development to endorse applications and permits to the New Jersey Department of Environmental Protection (NJDEP) and the United States Environmental Protection Agency (EPA) and any other governmental agencies.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: _____ None. _____

BY THE CITY COUNCIL AS A WHOLE:

RESOLVED, that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **336 Marshall Street, Elizabeth, New Jersey 07206** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Marshall Street
beginning at a point 344' East of Fourth Avenue
and continuing 22' East thereof; and be it

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

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None. _____

BY THE CITY COUNCIL AS A WHOLE:

RESOLVED, that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of 406 First Avenue, Elizabeth, New Jersey 07202 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of First Avenue
beginning at a point 85' West of Atlantic 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.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to commend and congratulate **Mr. Kwao Taylor** for his guidance and dedication to the Leaders of Tomorrow (LOT) Program; and

WHEREAS, Mr. Taylor is a teacher in the Elizabeth Public School system. His leadership in the after school program teaches boys between the ages of 8 and 14 responsible behavior so that they can be leaders of tomorrow; and

WHEREAS, Mr. Taylor has been instrumental to the boys well being and commitment to the program; now, therefore be it,

RESOLVED, that City Council of the City of Elizabeth hereby extends its congratulations to the **Mr. Kwao Taylor** for his guidance and dedication to the Leaders of Tomorrow (LOT) Program; and be it

FURTHER RESOLVED, that this resolution be spread in full upon the minutes of this meeting of City Council and that the City Clerk be directed and authorized to forward a certified copy of this resolution to **Mr. Kwao Taylor**.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to commend and congratulate the following members of the Leaders of Tomorrow (LOT) Program for their dedication to the program; and

Justin Quintero	Isaiah Clark
Juel Rivera	Kacere Andrews
Antoine Watts	Xavier Torres
Jan Luis Almonte	Jeffry Villafana
Khalil Rashada	Jason Batiz
John Garner	Raul Guadalupe
Maxlewis Oparanozie	Gabriel Joaquin
Mauricio Gutierrez	Ameer McNiell

WHEREAS, these boys between the ages of 8 and 14 have shown hard work and commitment to this program with the goal of becoming responsible adults and leaders in their community; now, therefore be it;

RESOLVED, that City Council of the City of Elizabeth hereby extends its congratulations to the members of the Leaders of Tomorrow (LOT) Program for their dedication to the program under the direction of their teacher, **Mr. Kwao Taylor**; and be it

FURTHER RESOLVED, that this resolution be spread in full upon the minutes of this meeting of City Council and that the City Clerk be directed and authorized to forward a certified copy of this resolution to the members of the Leaders of Tomorrow (LOT) Program.

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

**December 21, 2015
December 23, 2015**

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 herein below; and be it

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

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

ALLIED OIL CO.	6-01-31-447	\$	3,737.57
AT&T TELE CONFERENCE SERVICE	6-01-31-440	\$	30.12
AVAYA	6-01-31-440	\$	5,933.28
DIRECT ENERGY BUSINESS	6-01-31-430	\$	10,660.42
ELIZABETHTOWN GAS	6-01-31-446	\$	8,213.91
ELIZABETHTOWN GAS	6-07-55-500- SEW-351	\$	195.99
NATIONAL TERMINAL, INC.	6-01-31-447	\$	3,257.31
PSE&G	6-01-31-430	\$	175.97
SPRINT	6-01-31-440	\$	2,941.87
SPRINT	5-01-31-440	\$	1,503.78
SPRINT	6-01-31-440	\$	9.20
VERIZON	6-01-31-440	\$	84,359.44
VERIZON WIRELESS	6-01-31-440	\$	24,220.19

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None.

December 22, 2015

BY COUNCIL AS A WHOLE:

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

<u>ORGANIZATION</u>	<u>AG</u>	<u>B.L.</u>	<u>R.L.</u>	<u>DATE</u>
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* THE CITY OF ELIZABETH DID NOT ISSUE ANY LICENSES FOR GAMES THIS MONTH *

AFFIRMATIVE: Cuesta, Grova, Torres, Gonzalez,
Kinirey, Cedeno, Gallman,
Mazza And President Perkins-Auguste - 9.

NEGATIVE: None. _____

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Elizabeth resident, Eduardo E. Oliveira, 34; and

WHEREAS, Eduardo was born in Agueda, Portugal and came to the United States and Elizabeth in 1986; and

WHEREAS, he was the owner of Elite Delivery Systems, Linden, for 14 years; and

WHEREAS, Eduardo was the beloved husband for 12 years of Rosanna Calella; devoted father of Briana S. and Alexa G. Oliveira; cherished son of Antonio A. and Selene L. (Leal) Oliveira; and loving brother of Chris L. Oliveira of Elizabeth. He is also survived by a host of other relatives; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Eduardo E. Oliveira to his family; 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 his family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Elizabeth resident, Gerard "Gerry" Sapia, 80; and

WHEREAS, Gerard was born in Vallata, Italy and came to Elizabeth in 1953; and

WHEREAS, Gerard worked as a machinist for Wilson Jones Company in Elizabeth for 25 years before retiring; and

WHEREAS, a caring and devoted father and grandfather and brother, Gerard is survived by his loving children, Michael and his wife, Maria Sapia, John and his wife, Pamela Sapia, and Gerard Jr. and his wife, Lisette Sapia; cherished grandchildren; sisters, Assunta Bove, Inoronata Cerullo, Antonietta Mercantante; and brother, Nicola Sapia. He was predeceased by his beloved wife, Josephine (nee Romanello); his sister, Maria Paternostro, and brother, Vito Sapia; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Gerard "Gerry" Sapia to his family; 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 his family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Elizabeth resident, Yania Esther (Pellicer) Carmona, 41; and

WHEREAS, Yania was born in Cuba, and came to the U.S. and Elizabeth in 1980; and

WHEREAS, she was a clerk for Guaranteed Subpoena Service, Inc. in Union, N.J., until March of 2014. Prior to that, she was a school teacher at St. Patrick High School in Elizabeth; and

WHEREAS, Mrs. Carmona was the beloved wife for over 10 years of Jesus Carmona; devoted mother of Yaneisy and Jesus, both of Elizabeth; loving daughter of Maria (Aguilera) Pellicer of Manhattan, Kansas, and Geronimo Pellicer of Elizabeth, and dear sister of Captain Yoania Vazquez stationed at Ft. Riley, Kansas; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Yania Esther (Pellicer) Carmona to her family; and be it

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

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

Councilman Torres moved that the City Council do now adjourn.

Which was carried unanimously.

Whereupon President Perkins-Auguste declared City Council adjourned
At 8:45 P.M.

APPROVED

Patricia Perkins-Auguste
President of City Council

Yolanda M. Roberts
Municipal Clerk