PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
February 8, 2011
7:30 p.m.

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

Council President Keenan 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 28, 2010.

PRESENT: Council Members-at-Large: Patricia Perkins-Auguste; [redacted], Edward Jackus;
Council Members: Manny Grova, Jr., 1st Ward;
Nelson Gonzalez, 2nd Ward; Carlos Cedeno, 4th Ward;
William Gallman, Jr., 5th Ward; Frank O. Mazza, 6th Ward;
and President Joseph Keenan, 3rd Ward - 8

ABSENT: Cuesta - 1

ALSO PRESENT: Rocco DiPaola, Second Assistant City Attorney

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

PUBLIC SPEAKING

Mr. Joseph Doherty, 119 Bayway Avenue, addressed the newspaper article regarding gangs in the City of Elizabeth. He continued that for the Mayor to admit to a gang problem goes against him trying to have people believe that Elizabeth is a "Utopia." He stated further that the Mayor's commercials speak of "Come shop in Elizabeth."

Mr. Doherty stated that Elizabeth is an urban city and the great lady is in decline. He continued that City Council should take the power to "reverse the course."

Mr. Doherty spoke of the Mayor verbally attacking him and has not apologized. He stated that he wonders how St. Mary's School feels about how he has turned out..

Mr. Benjamin Hertz, 920 Pennington Street, spoke to the parking problem in the City. He continued that parking decks are "popping up" in the shopping district of Broad Street and suggested to City Council to look into turning empty lots into parking lots for the residents of this City.

Also, Mr. Hertz suggested to demolish the Elmora Theater and build a parking deck because there is limited parking for the Elmora Avenue shopping district.

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

3

PUBLIC HEARINGS

Council President Keenan announced that the next business in order would be a public hearing on **Ordinance No. 4186**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JUANA ZULOAGA, 326 AMITY STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **January 25, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **January 31, 2011**.

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

Council President Keenan announced that the next business in order would be a public hearing on **Ordinance No. 4187**, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO GEI CONSULTANTS, INC., 18000 HORIZON WAY, MT. LAUREL, NEW JERSEY ON BEHALF OF AGL RESOURCES, FOR REPAIR AND IMPROVEMENT TO EXISTING DRAINAGE SWALE WORK AT ERIE STREET IN COMPLIANCE WITH NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) REQUIREMENTS.

This ordinance was adopted on its first reading at the meeting of City Council held on **January 25, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **January 31, 2011**.

Council President Keenan 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 Keenan declared the public hearing closed.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated January 26, 2011, from the Business Administrator requesting authorization for the proper City officials to enter into and sign all necessary documents with the City of Linden for an Intergovernmental Services Agreement for License Inspectors, for the period December 15, 2010 through December 14, 2011 for a fee of $10,000.00.
Which was received.

By the Clerk:
Letter dated January 26, 2011, from the Business Administrator requesting authorization to enter into an EMS Mobile Intensive Care Unit Interface Agreement with University of Medicine and Dentistry of New Jersey EMS to allow billing rights, in order for them to bill Medicare for Mobile Intensive Care Unit and Advanced Life Support services, provided by their paramedics within the City of Elizabeth, to patients who are Medicare beneficiaries.
Which was received.

By the Clerk:
Letter dated January 26, 2011, from the Business Administrator requesting authorization for E & A Transportation to operate a Transport Company in the City of Elizabeth.
Which was received.

By the Clerk:
Letter dated January 28, 2011, from the Business Administrator requesting authorization for the final premium adjustment payment to Regional Risk Managers, LLC, a Sirroco Group member submitted as a result of an audit regarding the Excess Workers Compensation Insurance Policy covering the period July 1, 2009 to July 1, 2010, in the total sum of $19,967.00.
Which was received.

By the Clerk:
Letter dated January 28, 2011, from the Business Administrator recommending the award of a contract to Verizon Select Services, Inc., 201 Centennial Avenue, Piscataway, NJ, for the purchase of Maintenance for the 911 System for the Police and Fire Departments for the period March 1, 2011 through September 30, 2011 at an individual cost of $21,525.05 for the Police Department and $27,317.55 for the Fire Department, totaling $48,842.60.
Which was received.

By the Clerk:
Letter dated January 31, 2011, from the Business Administrator recommending the award of a contract to Storr Tractor Co., 3191 U.S. Highway 22, Branchburg, NJ, for the purchase of Parts and Repairs for Lawn and Grounds Equipment for various departments for the period January 31, 2011 through January 31, 2013, at a cost not to exceed $150,000.00.
Which was received.

By the Clerk:
Letter dated January 31, 2011, from the Business Administrator recommending the award of a contract to Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, NJ, for the implementation of an Employee Assistance Program (EAP) & Alcohol Education Program for the period commencing January 1, 2011 through December 31, 2011, at a cost not to exceed $40,000.00.
Which was received.

By the Clerk:
Letter dated January 31, 2011, from the Business Administrator recommending the award of a contract to Birdsall Services Group, Inc., 65 Jackson Drive, P.O. Box 5000, Cranford, NJ, to provide professional services in connection with the Health & Safety Compliance Programs for the Year 2011 at a cost not to exceed $70,000.00.
Which was received.

By the Clerk:

Letter dated February 1, 2011, from the Business Administrator recommending the award of a contract to Apple Computer Inc., 12545 Riata Vista Circle, Austin, TX, for the purchase of one (1) MacBook Pro Computer and Accessories at a cost of $5,938.80.
Which was received.

By the Clerk:

Letter dated February 1, 2011, from the Business Administrator recommending the award of a contract to International Salt Company, LLC., The Wellesley Building, 655 Northern Blvd., Box 540, Clarks Summit, PA, for the purchase of Bulk Rock Salt for the period February 1, 2011 through November 30, 2011, at a cost not to exceed $500,000.00.
Which was received.

By the Clerk:

Letter dated February 1, 2011, from the Chief Financial Officer advising that additional grants may be appropriated in the 2011 SFY Budget by budget amendments
Which was received.

By the Clerk:

Letter dated February 1, 2011, from the Chief Financial Officer requesting your Honorable Body to consider the approval of a bond ordinance authorizing the development of the Elizabeth River Walkway Project, Phase I, between Bridge Street and South Broad Street, in the amount of $1,200,000.00, with a down payment of $60,000.00.
Which was received.

By the Clerk:

Letter dated February 1, 2011, from the Chief Financial Officer requesting your Honorable Body to consider an Ordinance to fund Accumulated Absence Liabilities over five years resulting from the retirement of employees and pursuant to the adoption of this Ordinance, City Council shall consider the adoption of a resolution setting forth the amount of accumulated absence liability and setting forth the method of funding which shall be by the issuance of five year notes.
Which was received.

By the Clerk:

Letter dated January 26, 2011, from the Director of Planning and Community Development requesting authorization to execute an agreement between the City of Elizabeth and the United Youth Council, Inc., 513 Richmond Street, Elizabeth, NJ, for funds to help defray costs for its Citywide Youth/Family Summit and Health Festival Programs for the period July 1, 2010 until June 30, 2011 in the amount of $1,000.00.
Which was received.

By the Clerk:

Letter dated January 27, 2011, from the Director of Planning and Community Development requesting authorization to amend the amended resolution adopted May 25, 2010, between the City of Elizabeth and Groundwork Elizabeth, Inc., for Caldwell Park Improvements to increase the contract amount by $7,078.52 for a total contract amount not to exceed $52,078.52 and to extend the contract term to August 31, 2010, specifically to extend the contract to June 30, 2011 in order to complete the restoration and landscaping of Caldwell Park.
Which was received.

By the Clerk:

Letter dated January 27, 2011, from the Director of Planning & Community Development requesting authorization to amend the amended resolution adopted on December 11, 2009 between the City of Elizabeth and Groundwork Elizabeth, Inc., for a total contract amount not to exceed $45,000.00 and to extend the contract to February 28, 2010, specifically to extend the contract to June 30, 2011 in order to complete the Elizabeth Nature Center and South Wilson Park Projects.
Which was received.

By the Clerk:

Letter dated January 28, 2011, from the Director of Public Works requesting permission to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of $2,131.30.
Which was received.

By the Clerk:

Letter dated January 28, 2011, from the Director of Public Works requesting permission to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the boarding up of said properties in the amount of $1,715.99.
Which was received.

By the Clerk:

Letter dated January 4, 2011, from EnviroTrac Environmental Services, 3 Terri Lane, Suite 8, Burlington, NJ, requesting an encroachment permit, on behalf of D & K Fueling Station, to conduct a remedial investigation at 845-849 Summer Street.
Which was received.

By the Clerk:

Letter dated January 11, 2011, from Phoenix Environmental Management, Inc., 3525 Quakerbridge Road, Suite 907, Hamilton, NJ, requesting an encroachment permit to install one (1) monitoring well in the public right-of-way near the southwest corner of the intersection of South Fifth Street and Fourth Avenue.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter February 8, 2011, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, February 4, 2011.
Which was received.

ORDINANCES ON FIRST READING

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4188** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO AMEND CHAPTER 5.24, ENTITLED "BARBER SHOPS AND BEAUTY SHOPS/SALONS" OF THE CODE OF THE CITY OF ELIZABETH, BY AMENDING, SECTION 2. "HOURS OF OPERATION" TO PERMIT A 6:00 A.M. OPENING ON SATURDAYS AND SUNDAYS.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4189** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO AMEND CHAPTER 8.36 MANDATORY RECYCLING PROGRAM OF THE CODE OF THE CITY OF ELIZABETH

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4190** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO *N.J.S.A.* 40A:4-53 TO FUND ACCUMULATED ABSENCE LIABILITIES

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4191** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO ENVIROTRAC, LTD, 3 TERRI LANE, BURLINGTON, NEW JERSEY 08016, ON BEHALF OF D & K FUELING STATION, TO CONDUCT A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIAL INVESTIGATION WHICH WILL REQUIRE THE INSTALLATION OF GROUND WATER MONITORING WELL IN THE SIDEWALK AREA AND WITHIN THE PUBLIC RIGHT-OF-WAY AT 845-849 SUMMER 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, [redacted] Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 8

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4192** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO PHOENIX ENVIRONMENTAL MANAGEMENT, INC., 3525 QUAKERBRIDGE ROAD, HAMILTON, NEW JERSEY 08619 AS PART OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE INSTALLATION OF ONE (1) MONITORING WELL IN THE PUBLIC RIGHT-OF-WAY AT THE INTERSECTION OF SOUTH FIFTH STREET AND FOURTH AVENUE.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that public notice will be published fixing Tuesday, February **22**, 2011 , at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct public hearings and further consider the foregoing Ordinance Nos. 4188, 4189, 4190, 4191 and 4192, adopted on first reading.

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4193** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE DEVELOPMENT OF THE ELIZABETH RIVER WALKWAY PROJECT PHASE I LOCATED IN THE CITY OF ELIZABETH AND APPROPRIATING $1,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,140,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that public notice will be published fixing Tuesday, March 8, 2011 , at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct public hearings and further consider the foregoing Ordinance Nos. 4193, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

11

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4186**, which was seconded by Councilman Grova.

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JUANA ZULOAGA, 326 AMITY STREET, ELIZABETH, NEW JERSEY.

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

SECTION 1. - A personalized handicapped parking space for **Juana Zuloaga** is established in front of **326 Amity Street, Elizabeth, New Jersey** as follows pursuant to the recommendation of the Elizabeth Police Director: along the East curb line of Amity Street beginning at a point 170' 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 . **January 25, 2011.**

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **January 31, 2011.**

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4187**, which was seconded by Councilman Grova:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO GEI CONSULTANTS, INC., 18000 HORIZON WAY, MT. LAUREL, NEW JERSEY ON BEHALF OF AGL RESOURCES, FOR REPAIR AND IMPROVEMENT TO EXISTING DRAINAGE SWALE WORK AT ERIE STREET IN COMPLIANCE WITH NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) REQUIREMENTS.

WHEREAS, the Division of Engineering has reviewed an application submitted to the City of Elizabeth by Sue B. Boyle, Sr., Environmental Practice Leader with GEI Consultants, Inc., on behalf of AGL Resources for an encroachment permit to repair and improve the existing drainage swale along the northern border of the AGL Resource site on Erie Street; and

WHEREAS, all documentation submitted appear to be in order, including a letter dated December 2, 2010 from Stacey M. Jensen, Chief Eastern Section, NY US Army Corps of Engineers indicating that an ACOE Permit is not required; and

WHEREAS, GEI Consultants, Inc., is requesting that the appropriate City Official's execute the NJDEP Land Use Regulation Application Form (LURP-2). At a later date, upon adoption of ordinance, the original LURP form will be sent by GEI Consultants; now, therefore, be it

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

SECTION 1. - That an encroachment permit be granted to **GEI Consultants, Inc., 18000 Horizon Way, Suite 200, Mt. Laurel, New Jersey 08054** to repair and improve the existing drainage swale along the Elizabeth River Basin in accordance with the plans prepared by GEI Consultants, Inc., sheets one through four, which are on file in the City Engineer's Office.

SECTION 2. - That the proper City Officials are hereby authorized to execute the NJDEP Land Use Regulation Application Form (LURP-2).

SECTION 3. - The Permittee shall provide a liability insurance certificate in the aggregate amount determined by the City Engineer for property damage and personal injury naming the City of Elizabeth as an additional insured and giving the City a thirty (30) day notice of cancellation of policy. The Permittee shall also be responsible for all maintenance with regard to the encroachment.

SECTION 4. - All ordinances or parts of ordinance 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 . **January 25, 2011.**

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **January 31, 2011.**

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

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

NEGATIVE: None

14

City of Elizabeth

CAPITAL BUDGET

2011 SFY

Amendment

RECEIVED
FEB 8 2011
CITY CLERK'S OFFICE

Whereas, it is desired to amend the Fiscal Year 2011 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 2011 Capital Budget .

~~Recorded vote~~

~~AYES~~ ~~NAYS:~~

~~ABSENT:~~

6 YEAR CAPITAL PROGRAM FY2011 TO FY2016

PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2011

Local Unit CITY OF ELIZABETH

1	2	3	4	PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2011					6
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	AMOUNTS RESERVED IN PRIOR YEARS	5a FY2011 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
Elizabeth River Walkway		1,200,000.00			60,000.00			1,140,000.00	
Totals - All Projects		1,200,000.00			60,000.00			1,140,000.00	

15

6 YEAR CAPITAL PROGRAM FY2011 TO FY2016
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 FY2011	5b FY2012	5c FY2013	5d FY2014	5e FY2015	5f FY2016
Elizabeth River Walkway		1,200,000.00		1,200,000.00					
Totals - All Projects		1,200,000.00		1,200,000.00					

16

6 YEAR CAPITAL PROGRAM FY2011 TO FY2016
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit CITY OF ELIZABETH

1	2	BUDGET APPROPRIATION		4	5	6	BONDS AND NOTES			
PROJECT TITLE	ESTIMATED TOTAL COST	3a Current Year FY2010	3b Future Years	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS-IN-AID AND OTHER FUNDS	7a General	7b Self Liquidating	7c Assessment	7d School
Elizabeth River Walkway	1,200,000.00	1,200,000.00		60,000.00			1,140,000.00			
Totals - All Projects	1,200,000.00	1,200,000.00		60,000.00			1,140,000.00			

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 2011 Fiscal Year Capital Budget

Which was adopted by the following vote:

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

NEGATIVE: None

17

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to enter into an Intergovernmental Services Agreement with the **City of Linden, 302 North Wood Avenue, Linden, New Jersey 07036,** for License Inspectors to be provided by the City of Elizabeth for Taxicab and Limousine Enforcement for the period of December 15, 2010 through December 14, 2011 for a fee of $10,000.00; and

WHEREAS, the License Inspectors employed by the City of Elizabeth, New Jersey will be providing assistance to the City of Linden for the Inspection Services for Taxicab and Limousine Enforcement; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into an Intergovernmental Services Agreement with the **City of Linden, 302 North Wood Avenue, Linden, New Jersey 07036,** for License Inspectors to provide assistance for the Taxicab and Limousine Enforcement for the period of December 15, 2010 through December 14, 2011 for a fee of $10,000.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the City of Elizabeth to enter into an EMS Mobile Intensive Care Unit (MICU) Interface Agreement with University of Medicine and Dentistry of New Jersey (UMDNJ) EMS unit; and

WHEREAS, the intent of this agreement is to allow UMDNJ billing rights, in order for them to bill Medicare for Mobile Intensive Care Unit (MICU) and Advanced Life Support (ALS) services, provided by their paramedics within the City of Elizabeth, to patients who are Medicare beneficiaries; and

WHEREAS, without an agreement with the City of Elizabeth UMDNJ is not able to recoup the expenses for those services provided, since Medicare regulations do not allow more than one bill for the same transport event; and

WHEREAS, this type of agreement is customarily requested by hospitals providing MICU or ALS support in the City, for the reasons stated hereinabove, and do not affect the City's revenues for concept of Emergency Medical Services provided; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials of the City of Elizabeth to enter into an EMS Mobile Intensive Care Unit (MICU) Interface Agreement with University of Medicine and Dentistry of New Jersey (UMDNJ) EMS unit to allow UMDNJ billing rights, in order for them to bill Medicare for Mobile Intensive Care Unit (MICU) and Advanced Life Support (ALS) services provided by their paramedics within the City of Elizabeth to patients who are Medicare beneficiaries.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator in her capacity as Acting Director of Neighborhood Services has requested authorization for **E & A Transportation, 181 Stiles Street, Elizabeth, New Jersey 07208,** to operate a transport company in the City of Elizabeth; and

WHEREAS, an application from **E & A Transportation** to operate as an autobus pursuant to Chapter 5.16 of the Code of the City of Elizabeth has been submitted and the Chief License Inspector has reviewed and approved the application; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes **E & A Transportation, 181 Stiles Street, Elizabeth, New Jersey 07208,** to operate as an autobus in the City of Elizabeth, pursuant to Chapter 5.16 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted] Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - X 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the payment of a final premium adjustment to **Regional Risk Managers, LLC, a Sirroco Group member,** for Excess Worker's Compensation Insurance covering the period of July 1, 2009 to July 1, 2010 at a cost of $19,967.00; and

WHEREAS, City Council by resolution dated July 27, 2010 authorized the renewal of the Excess Worker's Compensation Insurance policy with **MIDWEST EMPLOYERS CASUALTY COMPANY, 14755 North Outer Forty Drive, Chesterfield, MO 63017;** and

WHEREAS, as a result of an audit conducted by **Regional Risk Managers, LLC,** a premium adjustment for Excess Worker's Compensation Insurance is required; and

WHEREAS, as an insurance contract this award exempt from the provisions of the New Jersey pay to play law; and

WHEREAS, the Chief financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-06074 charging the amount of $19,967.00 to Account No. 11-21-56-249 of the Municipal Budget, is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth, New Jersey that the payment of a final premium adjustment be made to **Regional Risk Managers, LLC, a Sirroco Group member,** for Excess Worker's Compensation Insurance covering the period of July 1, 2009 to July 1, 2010 at a cost of $19,967.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNICIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to award a contract to **STORR TRACTOR COMPANY, 3191 U.S. Highway 22, Branchburg, New Jersey 08876,** for the purchase of Parts and Repairs for Lawn and Grounds Equipment for various City departments for the period of January 31, 2011 through January 31, 2013 at a cost not to exceed $150,000.00 under their State Contract #76921; and

WHEREAS, this type of purchase is considered to be an Open-end Contract for which price bids are solicited on a unit basis because exact quantities are not known at the time that bids are sought. In accordance with regulation 5:30-14.4 a Certificate of Availability of Funds required shall be executed at each time an order is placed covering the amount of the order; and

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

RESOLVED that the City Council of the City of Elizabeth authorizes an award a contract be made to. **STORR TRACTOR COMPANY, 3191 U.S. Highway 22, Branchburg, New Jersey 08876,** for the purchase of Parts and Repairs for Lawn and Grounds Equipment for City various departments for the period of January 31, 2011 through January 31, 2013 at a cost not to exceed $150,000.00 under their State Contract #76921.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, Purchasing Agent, and the Director of the Fire Department have requested authorization to award a contract to **VERIZON SELECT SERVICES, INC., 201 Centennial Avenue, Floor 3/Room 31x065, Piscataway, New Jersey 08854**, for the purchase of Maintenance for the 911 System for the Police and Fire Departments for the period of March 1, 2011 through September 30, 2011 at an individual cost of $21,525.05 for the Police Department and $27,317.55 for the Fire Department at a total cost of $48,842.60 under their State Contract No. A69907; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-05709, charging the amount of $48,842.60 to Account No. 1-01-31-440, 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 authorizes an award a contract be made to **VERIZON SELECT SERVICES, INC., 201 Centennial Avenue, Floor 3/Room 31x065, Piscataway, New Jersey 08854** for the purchase of Maintenance for the 911 System for the Police and Fire Departments for the period of March 1, 2011 through September 30, 2011 at an individual cost of $21,525.05 for the Police Department and $27,317.55 for the Fire Department at a total cost of $48,842.60 under their State Contract No. A69907.

Which was adopted by the following vote:

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

NEGATIVE: None

[redacted]

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there is a need to provide services in connection with the implementation of an Employee Assistance Program and an Alcohol Education Program; and

WHEREAS, the Business Administrator has recommended the award of a contract to **Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207,** to implement an Employee Assistance Program (EAP) and an Alcohol Education Program, and to provide assistance in the identification and resolution of productivity problems associated with employees whose job performance may be impaired by personal concerns, for the period January 1, 2011 through December 31, 2011 at an amount not to exceed $40,000.00; and

WHEREAS, pursuant to **N.J.S.A.** 19:44A-20.5 et seq., this contract was solicited and is being awarded pursuant to a fair and open procedure; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-05934, charging the amount of $40,000.00 to Account No. 11-01-20-100-ADM-302 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 Business Administrator has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth, New Jersey that:

1. The Mayor and the City Clerk are hereby authorized and directed to enter into and execute an agreement with **Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207,** to implement an Employee Assistance Program (EAP) and an Alcohol Education Program and to provide assistance in the identification and resolution of productivity problems associated with employees whose job performance may be impaired by personal concerns, for the period January 1, 2011 through December 31, 2011 at an amount not to exceed $40,000.00.

2. Through the Fair & Openness Process quotations were solicited and Trinitas Regional Medical Center was the only respondent. Recommendation is based on previous service to City Employees. There will be no disruption of services to employees who are currently benefitting from this much needed assistance Trinitas Regional Medical Center is locally based in Elizabeth.

3. This service is specialized and qualitative in nature because it requires knowledge and expertise as it pertains to counseling, rehabilitation and behavioral management.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested an award of a contract be made to **Birdsall Services Group, Inc., 65 Jackson Drive, P. O. Box 5000, Cranford, New Jersey 07016,** to provide professional services in connection with the Health & Safety Compliance Programs for the Year 2011 in the amount of $70,000.00; and

WHEREAS, the scope and services outlined in the proposal include all professional consulting services associated with the City of Elizabeth's compliance with health & safety programs as follows; Written/Education/Training for the Confined Space Entry Program for employees: Annual PEOSHA Audit & Loss Prevention/Control Consultation; Bloodborne Pathogen Standard Program including education & training sessions; Defense Driving education & training program for employees; Forklift Training Program and complete Right-to-Know compliance; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available an appropriated for this purpose in Certification No. 11-05933, charging the amount of $70,000.00 to Account No. 11-01-20-100-ADM-302 of the Municipal Budget is on file in the Office of the City Clerk; and

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

WHEREAS, the contract has been awarded pursuant to a fair and open process; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **Birdsall Services Group, Inc., 65 Jackson Drive, P. O. Box 5000, Cranford, New Jersey 07016,** to provide professional services in connection with the Health & Safety Compliance Programs for the Year 2011 in the amount of $70,000.00.

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, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - X 8

NEGATIVE: None

BY CITY COUNICIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to award a contract to **APPLE COMPUTER, INC., 12545 Riata Vista Circle, MS: 1984-ID, Austin, TX 78727,** for the purchase of one (1) MacBook Pro Computer and Accessories at a cost of $5,938.80 under their State Contract #70259; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-05960, charging the amount of $5,938.80 to Account No. 1-01-25-265-FIR-366, 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 an award a contract be made to **APPLE COMPUTER, INC., 12545 Riata Vista Circle, MS: 1984-ID, Austin, TX 78727,** for the purchase of one (1) MacBook Pro Computer and Accessories at a cost of $5,938.80 under their State Contract #70259.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNICIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to award a contract to **INTERNATIONAL SALT COMPANY, LLC., The Wellesley Building, 655 Northern Blvd., Box 540, Clarks Summit, PA 18411,** for the purchase of Bulk Rock Salt for the period of February 1, 2011 through November 30, 2011 at a cost not to exceed $500,000.00 under State Contract #72592; and

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

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

RESOLVED that the City Council of the City of Elizabeth authorizes an award a Contract be made to **INTERNATIONAL SALT COMPANY, LLC., The Wellesley Building, 655 Northern Blvd., Box 540, Clarks Summit, PA 18411,** for the purchase of Bulk Rock Salt for the period of February 1, 2011 through November 30, 2011 at a cost not to exceed $500,000.00 under State Contract #72592.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to execute an agreement with the **UNITED YOUTH COUNCIL, INC., 513 Richmond Street, Elizabeth, New Jersey 07201,** in the amount of $1,000.00, to be used to help defray the cost of Citywide Youth Summits and Family Health Festivals. The term will extend from July 1, 2010 until June 30, 2011; and

WHEREAS, funds will be used to help defray insurance costs associated with the agency's Youth Summits and Health festivals. The purpose of the program is to encourage youngsters to confront youth violence, single parenting, drug abuse, and teen pregnancy; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.11-05923 charging the amount of $1,000.00 to Account Number 0-21-56-182 of the Municipal Budget, is on file in the Office of the City Clerk; and

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

WHEREAS, the Director of the Department of Planning and Community Development 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 the **UNITED YOUTH COUNCIL, INC., 513 Richmond Street, Elizabeth, New Jersey** in the amount of $1,000.00, to be used to help defray insurance costs associated with the agency's Youth Summits and Heath Festivals. The term will extend from July 1, 2010 until June 30, 2011.

2. Quotations were not solicited because of the unique nature of the contractor as a non-profit agency within the City of Elizabeth specializing in youth forums that address issues relevant to youth.

3. The nature of the service provided requires experience and extensive training in teaching, counseling and motivating.

4. The performance of this service cannot be reasonably described by written specifications as participants vary in motivation and ability to transfer learned skills.

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

Which was adopted by the following vote:

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

NEGATIVE: None

30

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has advised your Honorable Body that on December 11, 2009 a resolution was adopted which authorized a contract between the City of Elizabeth and Groundwork Elizabeth, Inc., to complete the Elizabeth Nature Center and South Wilson Park Project for September 30, 2009 to February 28, 2010; and

WHEREAS, in order to complete the Elizabeth Nature Center and South Wilson Park Projects an extension of the original contract term be made from September 30, 2009 to June 30, 2011; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an amendment to the the resolution adopted December 11, 2009 awarding a contract to Groundwork Elizabeth, Inc., for the Elizabeth Nature Center and South Wilson Park Projects to extend the term of the contract from September 30, 2009 through June 30, 2011.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Department of Public Works has caused certain **clean up and removal of debris** from the properties at the costs listed on **Schedule A** attached hereto and made a part hereof after due and proper notice to the owners thereof as required; and the owners thereof having been notified of the cost to the City in the sums listed on **Schedule A** and said costs not having been paid to the City of Elizabeth as required; and the Director of the Department of Public Works having issued certificates to City Council of the costs to the City of same; and

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

RESOLVED by City Council of the City of Elizabeth that the cost of clean up and removal of debris as shown for the properties listed on the **Schedule A** attached hereto and made a part hereof is hereby made a lien on said properties, which lien shall hereafter form part of the taxes next to be assessed and levied upon said lands in the sums set forth on **Schedule A** the same to bear interest at the same rate as taxes and to be collected and enforced by the same officers and in the same manner as taxes in accordance with the provisions of **N.J.S.A.** 40:48-2.14 and Chapter 15.12.180, of the Code of the City of Elizabeth.

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

Certificate Invoice 1/28/2011 Total Amount: 2,131.30.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

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

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

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

RESOLVED by the City Council of the City of Elizabeth that the costs shown on the Certificates of the Public Works Director of the City of Elizabeth for the boarding up of structures on premises and the costs listed on **Schedule A** attached hereto and made a part hereof is hereby established as a lien upon the lands listed on the attached Schedule A, which said lien shall hereafter form a part of the taxes next to be assessed and levied upon said lands, the same to bear interest at the same rate as taxes and to be collected and enforced by the same officers and in the same manner as taxes, in accordance with the provisions of **N.J.S.A.** 40:48-2.5 and the provisions of the Code of the City of Elizabeth.

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

Certificate/Invoice 1/28/2011 Total Amount $1,715.99.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Victor Matos v. City of Elizabeth, et al, CP No.: 2002-24794;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement in the amount of $19,416.52 for the claim filed by **Victor Matos**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-06075 charging the amount of $19,416.52 to Account No. 1-21-56-249-000 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 hereby approves and authorizes the settlement of the claim in an amount of $19,416.52 payable to **Victor Matos, 1230 Stone Street, Rahway, New Jersey 07065,** and the **Attorney for the Plaintiff, Balk & Geddes, P.A., 2013 Morris Avenue, Second Floor, Union, New Jersey 07083.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Raymond K. Smith v. City of Elizabeth, et al, CP No.: 2008-2338;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement in the amount of $10,398.26 for the claim filed by Raymond K. Smith; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-05924 charging the amount of $10,398.26 to Account No. 1-21-56-249-000 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 hereby approves and authorizes the settlement of the claim in an amount of $10,398.26 payable to **Raymond K. Smith, 526 W. Vallyview, Hackettstown, New Jersey 07840,** and the **Attorney for the Plaintiff, Balk & Geddes, P.A., 2013 Morris Avenue, Second Floor, Union, New Jersey 07083.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

35

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:

ELIZABETHTOWN GAS	**1-01-31-446**	**$ 19,356.70**
HESS CORPORATION	**1-01-31-430**	**$ 108,843.05**
NATIONAL TERMINAL, INC.	**1-01-31-447**	**$ 5,057.80**
PEPCO ENERGY SERVICES	**1-01-31-446**	**$ 13,391.98**
PSE&G	**1-01-31-430**	**$ 129,970.47**
SPRINT	**1-01-31-440**	**$ 1,592.31**
VERIZON	**1-01-31-440**	**$ 10,207.36**
VERIZON COMMUNICA/TIONS	**1-01-31-44**	**$ 541.83**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 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 Gerardina Vella, 64; and

WHEREAS, Mrs. Vella was born in Vallata, Italy and came to the United States, settling in Linden in 1974; and

WHEREAS, Gerardina was a homemaker, who enjoyed gardening, she was an expert dress maker; and

WHEREAS, Gerardina loved spending time with her family, she was a devoted wife, mother, and sister; and

WHEREAS, she is survived by her beloved husband of thirty-nine years, Gerardo Vella; loving son, Pasquale Vella; brother Sabino Giso and many nieces and nephews. She was predeceased by her loving parents, Leonardo and Isabella Giso; 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 Gerardina Vella; and be it

FURTHER RESOLVED, that this expression of our sympathy record 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 Mildred "Millie" Higgins, 68; and

WHEREAS, born in Madison, New Jersey, Mildred resided in Elizabeth for the past fifty years; and

WHEREAS, surviving are her beloved husband, Charles J. Higgins, Sr; two sons, Charles J. Jr., and David M. Higgins; a daughter, Mildred Manresa; three brothers, John, Niel and James Russo; five grandchildren, Arnaldo and Eric Manresa, Charles J. Higgins III, Cody Higgins and Madison Higgins and a great-grandchild, Tyler Manresa; 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 Mildred "Millie" Higgins; and be it

FURTHER RESOLVED, that this expression of our sympathy record 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 Grova moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Keenan declared City Council adjourned at

8:00 p.m.

APPROVED

JOSEPH KEENAN
President of City Council

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