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PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
April 12, 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; Frank J. Cuesta; 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 - 9

ABSENT:

ALSO PRESENT: William R. Holzapfel, City Attorney

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

Council President Keenan announced that prior to the Public Speaking portion of the meeting, Councilwoman Perkins-Auguste will make a presentation to Detective Nereida Cortes.

Councilwoman Perkins-Auguste stated that last month the City celebrated Women's History Month. She continued that the Patricia Perkins-Auguste Civic Association honored police personnel and one employee was overlooked.

Councilwoman Perkins-Auguste stated that Detective Rey has been on the Elizabeth Police Force for twenty-five years. She continued that Detective Rey has worked with the D.A.R.E. Program and was the first Latina female hired in the City of Elizabeth. She stated further that this very historic for her.

Detective Rey thanked everyone for their support during her twenty-five years.

PUBLIC SPEAKING

Mr. John Tumino, 900 Julia Street, stated that he was here a year ago regarding the towing contract. He continued that there were some billing discrepancies with the current towing company and he is very concerned and upset about this. He stated further that the current tower's contract will expire this Friday.

Mr. Tumino stated that many municipalities are thinking of having two contracts. He continued that one condition would be that City vehicles will be towed for free and other vehicles for a fee. He stated further that the N. J. Turnpike has two towers that rotate.

Mr. Tumino requested of City Council not to go into Year 2 of the current contract and hoped that a new process will be put in place.

Councilman Gallman stated that the current tower overcharged approximately 2,000 tows for Year No. 1.

The City Attorney stated that he spoke to Mr. Tumino many times and currently there is a rough draft of towing specifications that have been prepared by the Law Department. He continued that this may not be handled on time, so the current contract may be held over until the bidding process is complete.

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

PUBLIC HEARINGS

Council President Keenan announced that the public hearing on **Ordinance No. 4209** , authorizing a Bond Ordinance in the amount of $400,000.00, with a down payment of $20,000.00, for environmental engineering and regulatory compliance services at 823 East Jersey Street, 733 New Point Road, and various properties owned by the City and related work, has been cancelled and is rescheduled for April 26, 2011.

Council President Keenan announced that the next business in order would be a public hearing on **Ordinance No. 4210** , entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3872, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ELETHEN STOKES, 949 ANNA STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **March 22, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **April 1, 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. 4211**, entitled:

ORDINANCE OF THE COUNCIL OF THE CITY OF ELIZABETH, COUNTY OF UNION, STATE OF NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE YORK STREET REDEVELOPMENT AREA

This ordinance was adopted on its first reading at the meeting of City Council held on **March 22, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **April 1, 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.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated March 24, 2011, from His Honor the Mayor, advising that, subject to confirmation, he is appointing Ms. Cristina A. Pinzon, 109 Louisa Street, Elizabeth, N.J., to serve as a Member of the Elizabeth Housing Authority, to fill the unexpired term (1/1/2015) of former Commissioner Cecelia Frazer, who recently passed away.
Which was received.

By the Clerk:
Letter dated March 24, 2011, from His Honor the Mayor, advising that he has appointed Mr. Jose Tassi, 630 First Avenue, Elizabeth, N.J., to serve as a Member of the Human Rights Commission.
Which was received.

By the Clerk:
Letter dated April 1, 2011, from His Honor the Mayor, advising that subject to confirmation herewith re-appoints Mr. Marcos L. Salermo, 727 Van Buren Avenue, Elizabeth, NJ, to serve as a Member of the Elizabeth Parking Authority for a five year term effective April 25, 2011.
Which was received.

[redacted]

By the Clerk:
Letter dated April 1, 2011, from His Honor the Mayor, advising that subject to confirmation, he herewith re-appoints Ms. Danielle J. Payne, 551 Riverside Drive, Elizabeth, N.J., to serve as a Member of the Elizabeth Parking Authority for a five year term, effective April 25, 2011.
Which was received.

By the Clerk:
Letter dated March 24, 2011, from the Business Administration requesting authorization for the continuation of Supplemental Pension Benefits for Officer Peter Campbell, who sustained permanent and serious injuries in the line of duty.
Which was received.

By the Clerk:
Letter dated March 24, 2011, from the Business Administrator recommending the award of a contract to Garden State Fireworks, Inc., P.O. Box 403, Carlton Road, Millington, N.J., for the furnishing of fireworks for the Recreation Department in the amount of $16,900.00.
Which was received.

By the Clerk:
Letter dated March 24, 2011, from the Business Administrator requesting authorization for the proper City Officials to apply and accept the New Jersey Division of Highway Traffic Safety Project Grant: Click it or Ticket 2011 Mobilization for the period of May 23, 2011 to June 5, 2011, in the amount of $4,000.00.
Which was received.

By the Clerk:
Letter dated March 25, 2011, from the Business Administrator recommending the award of a contract to National Fuel Oil, Inc., 175 Orange Street, Newark, N.J., for the purchase of gasoline for the Public Works Marina for the period of April 1, 2011 through July 31, 2011, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated March 25, 2011, from the Business Administrator recommending awarding a contract to National Terminal, Inc., 175 Orange Street, Newark, N.J., for the purchase of fuel oil for the Public Works Marina for the period of April 1, 2011 through September 30, 2011, at a cost not to exceed $75,000.00.
Which was received.

By the Clerk:
Letter dated March 31, 2011, from the Business Administrator requesting authorization for the continuation of Supplemental Disability Pension Benefits for Officer Henry Murawski, who sustained permanent and serious injuries in the line of duty.
Which was received.

By the Clerk:
Letter dated March 31, 2011, from the Business Administrator recommending the award of a contract to Dell Marketing L.P., One Dell Way, Round Rock, TX, for the purchase of five (5) Dell Laptops for the Training Division of the Police Department at a total cost of $4,104.85.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated April 5, 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 March 16, 2011, from the Acting Director of Neighborhood Services requesting permission to have a lien placed against the property located at 213 Oak Street for the demolition of said property in the amount of $9,000.00.
Which was received.

By the Clerk:
Letter dated March 28, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with Future City, Inc., 1045 East Jersey Street, Suite 204, Elizabeth, N.J., to provide funds to administer the agency's Sustainable City Project for the period July 1, 2011 to June 30, 2012, in the amount of $10,000.00.
Which was received.

By the Clerk:
Letter dated March 29, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to partially discharge the City's mortgage with Waters Edge, LLC, to construct 6 units of For Sale housing; due to the sale of the first unit located at 178A Front Street, Block 1 Lot 73B.5, to a qualified purchaser.
Which was received.

By the Clerk:
Letter dated March 29, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to partially discharge the City's mortgage with Waters Edge, LLC, to construct 6 units of for Sale housing; due to the sale of the second unit located at 70A Magnolia Avenue, Block 1 Lot 73B.22, to a qualified purchaser.
Which was received.

By the Clerk:
Letter dated April 1, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to extend the term of the contract executed on June 11, 2010, between the City and Groundwork Elizabeth, Inc., 288 North Broad Street, Elizabeth, N.J., to May 1, 2012 , and additional funding in the amount of $11,685.00 for its Spring Planter Program.
Which was received.

By the Clerk:
Letter dated April 1, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to provide funds for the City-Wide Youth Unity Day program administered by the City of Elizabeth Office of Youth Services to address violence amongst youth in the amount of $1,500.00.
Which was received.

By the Clerk:
Letter dated April 1, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to provide funds for the 2011 D.A.R.E. Day Jamboree to be held May 6, 2011 at the Erxleben Center administered by the Department of Cultural and Heritage Affairs in the amount of $2,750.00.
Which was received

[redacted]

By the Clerk:
Letter dated April 4, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a repayable loan on the property located at 1051 North Avenue under the Energy Efficiency & Conservation Revolving Loan Program in an amount not to exceed $10,000.00.
Which was received.

By the Clerk:
Letter dated April 4, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into a lease agreement with Elizabeth Metromall, LLC, for the space occupied by the Retail Skills Center at Jersey Garden Mall for a period of five (5) years, commencing on July 1, 2011, with the responsibility of all utilities.
Which Was Referred To Council As A Whole.

By the Clerk:
Letter dated April 5, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to provide funds for the Elizabethport Community Day Parade to be held May 21, 2011, administered by the Bureau of Cultural and Heritage Affairs in the amount of $3,500.00.
Which was received.

By the Clerk:
Letter dated April 5, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to provide funds for the annual Portugal Day Parade to be held on the first Sunday in June 2011 in the amount of $4,500.00.
Which was received.

By the Clerk:
Letter dated April 1, 2011, from the Director of Public Works recommending the award of a contract to Rich Picerno Builders, LLC, 500 Hoiles Drive, Kenilworth, N.J., for the Mickey Walker Spray Park Facility, 830-860 Anna Street, at a cost of $700,574.95.
Which was received.

By the Clerk:
Letter dated April 4, 2011, from the Director of Public Works requesting approval of Change Order No. 1, to the contract awarded to Northeastern Hardwood Floors, Inc., for the resurfacing of the floor at the Fred Erxleben Recreation Center at an original cost of $82,616.00, to provide further for the final quantities adjustments, which represents as-built conditions, specifically, for additional self leveling that was required upon completion of shot-blasting of the existing floor due to irregularities in the floor surface and the addition of inserts for volleyball posts which were added to the court layout at an additional cost of $1,135.00, raising the contract amount to $83,751.00.
Which was received.

By the Clerk:
Letter dated April 4, 2011, from the Director of Public Works requesting approval of Amendment No. 1 to the contract approved on June 22, 2010, with Maser Consulting P.A., Red Bank, N.J., to provide for the design of improvements to the existing Front Street fields in the original amount of 214,400.00, specifically for environmental testing services at an additional cost not to exceed $29,200.00, for a total contract amount of $243,600.00.
Which was received.

[redacted]

[redacted]

By the Clerk:

Letter dated April 5, 2011, from the Director of Public Works recommending the award of a contract to A & A Curbing, Inc., 15 Terry Avenue, South River, N.J., for the improvements to two (2) Municipal Parking Lots at 23-32 High Street and 147 Elizabeth Avenue (Engine 5) at a cost of $83,118.00.
Which was received.

By the Clerk:

Letter dated March 21, 2011, from the Haitian Flag Day Planning Committee of New Jersey, Inc., P.O. Box 165, Elizabeth, N.J., requesting permission to host The Annual Haitian Flag Day Celebration, beginning with a Flag Raising Ceremony, Wednesday, May 18, 2011, in front of City Hall from 9:30 a.m. to 10:30 a.m.; then The Annual Flag Day Grand Parade to be held Sunday, May 22, 2011, General Assembly at 2:00 p.m. in front of Jefferson Park on Madison Avenue; Parade at 3:00 p.m.
Which was received.

By the Clerk:

Letter dated March 22, 2011, from Coco Bongo Productions requesting permission to host the 8th Annual Colombian Independence Day Festival to be held Sunday, August 7, 2011, on Morris Avenue, from Sayre Street to Julian Place and Westfield Avenue, between North Broad Street and Harrison Street from 12:00 noon to 9:00 p.m.
Which Was Referred To Council As A Whole.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter April 12, 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, April 8, 2011.
Which was received.

ORDINANCES ON FINAL PASSAGE

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4210** , which was seconded by Councilman Grova.

AN ORDINANCE TO RESCIND ORDINANCE NO. 3872, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ELETHEN STOKES, 949 ANNA STREET, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 3872 is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **March 22, 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 **April 1, 2011.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4211**, which was seconded by Councilman Grova.

ORDINANCE OF THE COUNCIL OF THE CITY OF ELIZABETH, COUNTY OF UNION, STATE OF NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE YORK STREET REDEVELOPMENT AREA

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, *et seq.* (the "**Act**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, pursuant to Section 5(g) of the Act (*N.J.S.A.* 40A:12A-5(g)), on November 23, 2010, the municipal council of the City of Elizabeth (the "**City Council**") adopted a resolution designating the property commonly known as Block 1, Lots 999, 999.A3 and 999.A4 and Block 8, Lots 428.Y11, 1866, 1867, 1869 and 1873 on the tax map of the City of Elizabeth, State of New Jersey, as an area in need of redevelopment (the "**Redevelopment Area**"); and

WHEREAS, in furtherance of redeveloping the Redevelopment Area, and pursuant to *N.J.S.A.* 40A:12A-7(f), on December 21, 2010, the City Council adopted a redevelopment plan prepared and recommended by the Planning Board (the "**Original Redevelopment Plan**"); and

WHEREAS, upon review of the Original Redevelopment Plan, amendments to the Original Redevelopment Plan (the "**Redevelopment Plan Amendment**") have been prepared by Victor E. Vinegra, municipal planner, for the purpose of clarifying the permitted uses and updating the site plan standards in order to effectuate the redevelopment of the Redevelopment Area; and

WHEREAS, the City Council directs the Planning Board to review the Redevelopment Plan Amendment and provide its recommendations pursuant to *N.J.S.A.* 40A:12A-7(e).

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

SECTION 1. The Planning Board is hereby directed pursuant to *N.J.S.A.* 40A:12A-7(e) to review the Redevelopment Plan Amendment and provide a report with its recommendations to the City Council within forty-five (45) days of the date of the introduction of this Ordinance.

SECTION 2. Pursuant to *N.J.S.A.* 40A:12A-7(e), the City Council hereby adopts the Redevelopment Plan Amendment, which is attached hereto as Exhibit A and made a part of this Ordinance, subject to the report containing the recommendations of the Planning Board, which report must be reviewed by the City Council prior to final adoption of this Ordinance if received from the Planning Board within forty-five (45) days of the date hereof.

SECTION 3. Upon final adoption of this Ordinance, the zoning district map in the zoning ordinance of the City is hereby amended to include the "Redevelopment Area" per the boundaries described in the Redevelopment Plan Amendment and the provisions therein.

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

SECTION 5. - If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

SECTION 6. - The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **March 22, 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 **April 1, 2011.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

NEW BUSINESS

By City Council as a Whole:

WHEREAS, N.J.S. 40A 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Elizabeth will receive an amount of $126,752 for the Non Public School Nursing Grant 2011 awarded by the New Jersey Department of Health and Human Services and the Elizabeth Board of Education and wishes to amend its FY2011 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2011 in the total sum of $126,752 which is now available as a revenue from:

Miscellaneous Revenues
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
State and Federal Revenues Off-set with Appropriations:

New Jersey Department of Health and Human Services and Elizabeth Board of Education Non Public School Nursing Grant 2011	$126,752

BE IT FURTHER RESOLVED, that a like sum of $126,752 be and the same is hereby appropriated under the caption of :

General Appropriations
(a) Operations Excluded from 3 ½ % Caps
State and Federal Programs Offset by Revenues:

New Jersey Department of Health and Human Services and Elizabeth Board of Education Non Public School Nursing Grant 2011 Other Expenses	$126,752

BE IT FURTHER RESOLVED, that City Clerk forward two copies of this resolution to the Director of Local Government Services.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby confirm the appointment of **Ms. Cristina A. Pinzon, 109 Louisa Street, Elizabeth, New Jersey 07201** to serve as a Member of the Elizabeth Housing Authority (to fill the unexpired term 1/1/2015) of former Commissioner Cecelia Frazier who recently passed away, pursuant to **N.J.S.A.** 40A:12A-17 et seq. and **N.J.S.A.** 40:69A-43 et seq.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby confirm the reappointment of **Mr. Marcos L. Salermo, 727 Van Buren Avenue, Elizabeth, New Jersey 07201,** to serve as a Member of the Elizabeth Parking Authority for a five year term, effective April 25, 2011 pursuant to **N.J.S.A.** 40:11A-1 and the Administrative Code of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby confirm the reappointment of **Ms. Danielle J. Payne, 551 Riverside Drive, Elizabeth, New Jersey 07208,** to serve as a Member of the Elizabeth Parking Authority of the City of Elizabeth for a five year term effective April 25, 2011, pursuant to **N.J.S.A.** 40:11A-1 et seq. and the Administrative Code of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there were 554 motor vehicle fatalities in New Jersey in 2010; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic accidents were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide Click-It or Ticket seat belt mobilization from May 23, 2011 to June 5, 2011 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 93.73% to 100%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways; now, therefore, be it

RESOLVED that the City of Elizabeth declares it's support for the Click It or Ticket seat belt mobilization both locally and nationally from May 23, 2011 to June 5, 2011 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended an award of a contract be made to **Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey 07946**, being the sole responsible bidder meeting all the specifications for the furnishing of the Fourth of July Fireworks Display for the Recreation Department in the amount of $16,900.00, and more specifically described in the bid received on March 18, 2011, and on file in the Office of the Purchasing Agent; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07178, charging the amount of $16,900.00 to Account Number 1-01-28-370-REC-325 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 that **Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey 07946,** being the sole responsible bidder meeting all the specifications is hereby awarded the contract for the furnishing of the Fourth of July Fireworks Display for the Recreation Department in the amount of $16,900.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested an award of a contract to **NATIONAL FUEL OIL, INC., 175 Orange Street, Newark, New Jersey 07108,** for the purchase of Gasoline for the Public Works Marina for the period of April 1, 2011 through July 31, 2011, at a cost not to exceed $50,000.00 under State Contract #65042; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #65042, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.** 5:34-1.2; and

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

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

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **NATIONAL FUEL OIL, INC., 175 Orange Street, Newark, New Jersey 07108,** for the purchase of Gasoline for the Public Works Marina for the period of April 1, 2011 through July 31, 2011, at a cost not to exceed $50,000.00 under State Contract #65042.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested an award of a contract to **NATIONAL TERMINAL INC., 175 Orange Street, Newark, New Jersey 07108,** for the purchase of Fuel Oil for the Public Works Marina for the period of April 1, 2011 through September 30, 2011, at a cost not to exceed $75,000.00 under State Contract #A41868; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #A41868, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.** 5:34-1.2; and

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

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

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **NATIONAL TERMINAL INC., 175 Orange Street, Newark, New Jersey 07108,** for the purchase of Fuel Oil for the Public Works Marina for the period of April 1, 2011 through September 30, 2011, at a cost not to exceed $75,000.00 under State Contract #A41868.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, Purchasing Agent, and the Director of the Police Department have requested an award of a contract to **DELL MARKETING L.P., One Dell Way, Round Rock, Texas 78682,** for the purchase of five (5) Dell Laptops for the Training Division of the Police Department at a total cost of $4,104.85 under State Contract #70256; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07460, charging the amount of $4,104.85 to Account No. 1-21-56-130, 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 **DELL MARKETING L.P., One Dell Way, Round Rock, Texas 78682,** for the purchase of five (5) Dell Laptops for the Training Division of the Police Department at a total cost of $4,104.85 under State Contract #70256.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to enter into an agreement with **Future City, Inc., 1045 East Jersey Street, Elizabeth, Suite 204, New Jersey 07201,** to provide for the Sustainable City Project from July 1, 2011 to June 30, 2012 at a cost of $10,000.00 with the total cost of the program of $30,050.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.11-07495 charging the amount of $10,000.00 to Account No. 0-23-56-299 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 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 a contract with **Future City, Inc., 1045 East Jersey Street, Elizabeth, Suite 204, New Jersey 07201,** to provide for the Sustainable City Project from July 1, 2011 to June 30, 2012 at a cost of $10,000.00 with the total cost of the program of $30,050.00

2. Quotations were not solicited because of the unique nature of the contractor as a non-profit agency within the City of Elizabeth that provides educational resources on health homes, green construction and restoration to developers and to City residents regarding the hazards of lead-based paints, and the importance of monitoring and improving water quality for recreational, health, and environmental purposes.

3. The nature of the service provided requires experience and extensive training in business administration, sustainable economic development, software and website development, research skills pertaining to lead-based paint and local water quality monitoring issues, and multilingual media marketing skills.

4. The performance of the service cannot be reasonably described by written specifications, as project success is contingent upon coordination of multimedia efforts, availability and access to quality resources securing additional funding sources, and cooperation of local contractors, historical property owners, and affordable housing organizations.

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on April 1, 2011 seven (7) bids were received for the Mickey Walker Spray Park Facility; and

WHEREAS, the Director of the Department of Public Works has requested an award of a contract to the lowest responsible bidder **RICH PICERNO BUILDERS, LLC., 500 Hoiles Drive, Kenilworth, New Jersey 07033,** in the amount of $700,574.95; and

WHEREAS, this project will redevelop the Mickey Walker Pool into a barrier free spray park facility and include water components, a shade structure, landscaping sidewalk and fencing improvements; and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **RICH PICERNO BUILDERS, LLC**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07669, charging the amount of $700,574.95 to Account No. X-04-55-999-X32-001 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of authorizes the award of a contract to that the City Council of the City of authorizes the award of a contract to the lowest responsible bidder **RICH PICERNO BUILDERS, LLC, 500 HoilesDrive, KENILWORTH, NEW JERSEY 07033**, for the Mickey Walker Park Facility in the amount of $700,574.95.

Councilman Gallman stated that he was happy to see this project moving forward. He continued that this is a great way to enter into the 21st Century.

In closing, he requested the support of his colleagues.

Councilwoman Perkins-Auguste stated that the residents in the area prefer a swimming pool to learn a life skill. She continued that although a spray park may look nice, residents would like to keep the swimming pool because a pool teaches a life skill.

In closing, Councilwoman Perkins Auguste sated that she cannot support this project.

Which was adopted by the following vote:

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

NEGATIVE: [redacted] PERKINS-AUGUSTE —1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on April 5, 2011, the Director of the Department of Public Works received seven (7) bids for the improvements to two (2) Municipal Parking Lots, located at 23-32 High Street, and 147 Elizabeth Avenue (Engine 5); and

WHEREAS, the lowest bidder, **Jo-Med Contracting Corp., 815 Garden Street, Elizabeth, New Jersey 07202,** failed to provide an unconditional Consent of Surety, which is a material defect, therefore, their bid was not responsive and must be rejected; and

WHEREAS, the second lowest responsible and responsive bidder was **A & A Curbing, Inc., 15 Terry Avenue, South River, New Jersey 08882,** in the amount of $83,118.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds is available and appropriated for this purpose and Certification No. 11-07667 charging the amount of $83,118.00 to Account No.X-04-55-999-X23-001, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Director of the Department of Public Works has recommended an award of contract be made to the second lowest responsible and responsive bidder, **A & A Curbing, Inc., 15 Terry Avenue, South River, New Jersey 08882,** for the improvement to two Municipal Parking Lots located at 23-32 High Street, and 147 Elizabeth Avenue (Engine 5); now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of contract to the second lowest responsible and responsive bidder, A **& A Curbing, Inc., 15 Terry Avenue, South River, New Jersey 08882,** for the improvements to two Municipal Parking Lots located at 23-32 High Street, and 147 Elizabeth Avenue (Engine 5) at a cost of $83,118.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on February 15, 2011 the Director of Public Works has received two (2) bids for the Fred Erxleben Recreation Center Floor Resurfacing; and

WHEREAS, the lowest bidder, **SIGNATURE FENCING & FLOORING SYSTEMS, LLC, 50 East 42nd Street, Suite 501, New York, New York 10017** did not possess a New Jersey Public Works Contractor Registration as required, therefore, their bid was not responsive and must be rejected; and

WHEREAS, the Director of the Department of Public Works has requested authorization for the award of a contract to the second responsible bidder **NORTHEASTERN HARDWOOD FLOORS, INC., 447 Commerce lane, Suite A, West Berlin, New Jersey 08091** for the Fred Erxleben Recreation Center Floor Resurfacing at a cost of $82,616.00; and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **NORTHEASTERN HARDWOOD FLOORS, INC.**.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-03652 , charging the amount of $82,616.00 to Account No. X-04-55-999-X13-313 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 authorizes the award of a contract to the second responsible bidder **NORTHEASTERN HARDWOOD FLOORS, INC., 447 Commerce lane, Suite A, West Berlin, New Jersey 08091** for the Fred Erxleben Recreation Center Floor Resurfacing at a cost of $82,616.00 and rejects the bid of **SIGNATURE FENCING & FLOORING SYSTEMS, LLC** as being non-responsive.

Which was adopted by the following vote:

AFFIRMATIVE: [redacted], Cuesta, [redacted], Grova, Gonzalez, [redacted], Gallman, Mazza, and President Keenan - X 6

NEGATIVE: ~~None~~ PERKINS-AUGUSTE, CEDENO - 2

EXCUSED: JACKUS - 1

BY CITY COUNCIL AS AWHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on June 22, 2010 your Honorable Body adopted a resolution authorizing the City of Elizabeth to award a contact in the amount of $214,400.00 to **MASER CONSULTING, P.A., One River Centre – Building Two, 331 Newman Springs Road, Red Bank, New Jersey 07701** to provide for the design of improvements to the existing Front Street fields to include construction of synthetic turf for football and soccer as well as drainage and infrastructure improvements; and

WHEREAS, at the time the original proposal was received from **MASER CONSULTING, P.A.** it was anticipated that soil testing and characterization would be included as part of the of the construction contract for the improvements to the fields. In order to obtain he most cost effective price for the removal of soil, it has been determined that identifying the disposal requirements for the material up-front with the results being included in the construction contract would realize a financial savings. Potential bidders would be able to submit better prices knowing the nature of the soil; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07670, charging the amount of $ 29,200.00 to Account No. X-04-55-999-X25-001, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an amendment to a resolution adopted June 22, 2010, awarding a contract to **MASER CONSULTING, P.A., One River Centre – Building Two, 331 Newman Springs Road, Red Bank, New Jersey 07701** to provide for the design of improvements to the existing Front Street fields to include construction of synthetic turf for football and soccer as well as drainage and infrastructure improvements in the amount of $214,400.00 to provide professional engineering services for environmental testing services at the Front Street Fields at an additional cost not to exceed $29,200.00 for a total contract amount of of $243,600.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

26

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City Officials to extend the contract between the City of Elizabeth and **Groundwork Elizabeth, Inc., 288 North Broad Street, P. O. Box 512, Elizabeth, New Jersey 07207,** for the Spring Planter Beautification Program from May 1, 2011 to May 1, 2012. The original contract was executed on June 11, 2010. The agency has requested an extension of the program since the project is still ongoing and is in need of additional funds of $11,685.00 for completion; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07496, charging the amount of $11,685.00 to Account No. T-22-56-010-PBF-184, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council authorizes the proper City Officials to extend the contract between the City of Elizabeth and **Groundwork Elizabeth, Inc., 288 North Broad Street, P. O. Box 512, Elizabeth, New Jersey 07207,** for the Spring Planter Beautification Program originally executed on June 11, 2010, from its termination date of May 1, 2011 to May 1, 2012 with an additional cost of $11,685.00 are required for completion.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the sum of $1,500.00 to be used for a Youth Unity Day administered by the City of Elizabeth's Office of Youth Services; and

WHEREAS, the program addresses, violence amongst youngsters through panel discussions, presentations from clergy and government officials, and entertainment. Developing leadership skills through community service is the goal of the program; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07536, charging the amount of $1,500.00 to Account No. T-22-56-011-PBS-259, 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 sum of $1,500.00 to be used for a Youth Unity Day administered by the City of Elizabeth's Office of Youth Services. The program addresses, violence amongst youngsters through panel discussions, presentations from clergy and government officials, and entertainment. Developing leadership skills through community service is the goal of the program.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the sum of $2,750.00 to be used for the 2011 D.A.R.E. Day Jamboree administered by City of Elizabeth's Department of Cultural and Heritage Affairs; and

WHEREAS, funds will be used to celebrate the 5th grade graduation from the D.A.R.E. drug/alcohol/violence/prevention program. The event will take place on May 6, 2011 at the Erxleben Center; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07537, charging the amount of $2,750.00 to Account No. T-22-56-011-PBS-260, 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 sum of $2,750.00 to be used for the 2011 D.A.R.E. Day Jamboree administered by City of Elizabeth's Department of Cultural and Heritage Affairs. These funds will be used, to celebrate the 5th grade graduation from the D.A.R.E. drug/alcohol/violence/prevention program. The event will take place on May 6, 2011 at the Erxleben Center.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning & Community Development has requested authorization for the proper City Officials to provide funds in the amount of $3,500.00 for the Elizabethport Community Day Parade to be held on May 21, 2011. The project will be administered by the Bureau of Cultural and Heritage Affairs. Funds will be used to defer the recreation costs associated with the parade; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07562 charging the amount of $3,500.00 to Account No. 1-01-20-170-CHA-302, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to provide funds in the amount of $3,500.00 for the Elizabethport Community Day Parade administered by the Department of Cultural and Heritage Affairs to be held May 21, 2011.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

30

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City Officials to authorize funds in the amount of $4,500.00 for the annual Portugal Day Parade to be held on June 5, 2011; and

WHEREAS, the Parade will bring together many different groups including the Elizabeth Lions, Boy and Girls Scouts, Union and Essex County High Schools, Kean University, and the Elizabeth Fire and Police Departments while bringing a little bit of Portugal to our diverse community; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07561, charging the amount of $4,500.00 to Account No. 1-01-20-170-CHA-302, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officals to provide funds in the amount of $4,500.00 for the annual Portugal Day Parade to be held on June 5, 2011.

Which was adopted by the following vote:

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

NEGATIVE: None

EXCUSED: GROVA - 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Energy Efficiency & Conservation Revolving Loan Program to **Jose R. Flores & Aileen Cid, 1051 North Avenue, Elizabeth, New Jersey 07201,** for the property located at **1051 North Avenue, Elizabeth, New Jersey 07201.** The purpose is for Energy Efficient Upgrades to Reduce Utility Expenses; and

WHEREAS, the maximum loan amount of assistance to be provided is not to exceed $10,000.00; and

WHEREAS, the terms are .5% to 2.5% interest rate for two to ten years; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification No. 11-07497 charging the amount of $10,000.00 to Account Number G-02-41-782-10 (EE&CRLP) of the Municipal Budget and 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 a repayable loan in an amount not to exceed $10,000.00, under the Energy Efficiency and Conservation Revolving Loan Program, to **Jose R. Flores & Aileen Cid, 1051 North Avenue, Elizabeth, New Jersey 07201,** for the property located at **1051 North Avenue, Elizabeth, New Jersey 07201,** for energy efficient upgrades to reduce utility expenses. Said loan shall be guaranteed as a lien on the aforementioned subject property; and be it

FURTHER RESOLVED actual commitment of funds and execution of documents will only occur upon satisfactory review of applicant's credit report and energy audit.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to provide a Partial Discharge of the City's Mortgage on the following property:

New Owner: Angela Fritz
178A Front Street
Elizabeth, New Jersey
Waters Edge, LLC
Block No. 1, Lot No. 73B.5

WHEREAS, WATERS EDGE, LLC has received HOME funds to construct six (6) units For Sale housing; this is the first unit that has been sold. Waters Edge, LLC has sold the property to qualified purchasers and therefore, **WATERS EDGE, LLC is eligible** to a partial release of lien. The property will remain affordable for a period of fifteen (15) years by way of a deed restriction; and

WHEREAS, the City now holds a mortgage on this property in the amount of $83,333.00; and

WHEREAS, the Director of the Department of Planning and Community Development advises that **WATERS EDGE, LLC** is entitled to a Partial Discharge of Mortgage held by the City on the property located at:

New Owner: Angela Fritz
178A Front Street
Elizabeth, New Jersey
Waters Edge, LLC
Block No. 1, Lot No. 73B.5

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to provide a partial discharge said mortgage on the above property.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to provide a Partial Discharge of the City's Mortgage on the following property:

New Owner: Tejumade Ademosu
70A Magnolia Avenue
Elizabeth, NJ 07206
Block No. 1 Lot No. 73B.22

WHEREAS, WATERS EDGE, LLC has received HOME funds to construct six (6) units For Sale housing; this is the first unit that has been sold. Waters Edge, LLC has sold the property to qualified purchasers and therefore, **WATERS EDGE, LLC is eligible** to a partial release of lien. The property will remain affordable for a period of fifteen (15) years by way of a deed restriction; and

WHEREAS, the City now holds a mortgage on this property in the amount of $83,333.00; and

WHEREAS, the Director of the Department of Planning and Community Development advises that **WATERS EDGE, LLC** is entitled to a Partial Discharge of Mortgage held by the City on the property located at:

New Owner: Tejumade Ademosu
70A Magnolia Avenue
Elizabeth, NJ 07206
Block #1 Lot No. 73B.22

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to provide a partial discharge said mortgage on the above property.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, under the provisions of **N.J.S.A.** 52:27D-119 et seq. as amended known as the "State Uniform Construction Code Act", and of **N.J.A.C.** 5:23.1 et seq., known as the "Regulations for the New Jersey Uniform Construction Code", emergent powers are granted to municipal construction officials to demolish or make safe and secure buildings or structures that have become unsafe, or unsanitary, or which contain deficient or blocked exitway facilities, or which constitute a fire hazard or are otherwise dangerous to human life or the public welfare, or which, by reason of illegal or improper use or occupancy, have become unsafe; and

WHEREAS, certain structures on premises located at **213 Oak Street, Elizabeth, New Jersey 07206, Tax Account No. 8, Lot 1384** meet one or more of the criteria hereinabove mentioned; and

WHEREAS, the Bureau of Construction has caused to be demolished the said structure located at **213 Oak Street, Elizabeth, New Jersey 07206, Tax Account No. 8, Lot 1384** after due and proper notice to the owner thereof, as required, and the owner thereof having been notified of the cost to the City in the sum of $9,000.00 and said costs not having been paid to the City of Elizabeth, and the Construction Official of the Bureau of Construction having so advised City Council that said costs have been incurred by the City in the sum of $9,000.00; and

WHEREAS, the City Council having examined the communication to it from the Construction Official of the Bureau of Construction and having found same to be correct; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the cost as shown on the communication of the Construction Official of the Bureau of Construction of the City of Elizabeth for demolition of a structure at **213 Oak Street, Elizabeth, New Jersey 07206, Tax Account No. 8, Lot 1384** is hereby established as a lien upon said lands in the amount of $9,000.00, which said lien shall hereafter form 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.** 40:48-2.14 and the provisions of the Code of the City of Elizabeth

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **81 Elizabeth Avenue, Elizabeth, New Jersey 07206,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curb line of Elizabeth Avenue
beginning at a point 138' East of First Street
and continuing 22' East thereof;

and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has received a request from the **Haitian Flag Day Planning Committee of New Jersey, Inc., P. O. Box 165, Elizabeth, New Jersey** to conduct their flag raising in front of City Hall on Wednesday, May 18, 2011 at 9:30 a.m. and to declare the month of May as Haitian Heritage Month; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth does hereby grant permission to the **Haitian Flag Day Planning Committee of New Jersey, Inc., P. O. Box 165, Elizabeth, New Jersey** to conduct their flag raising in front of City Hall on Wednesday, May 18, 2011 at 9:30 a.m. and declares the month of May as Haitian Heritage Month.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the **Elizabeth Juneteenth Committee, P. O. Box 2401, Elizabeth, New Jersey** has requested authorization to hold their 2011 Juneteeth Celebration commemorating the end of slavery in the United States to be held Friday, June 17, 2011 through June 19, 2011 culminating with a parade to be held on Sunday, June 19, 2011, 2:00 p.m. beginning at Elizabeth Avenue and concluding in front of City Hall; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the **Elizabeth Juneteenth Committee, P. O. Box 2401, Elizabeth, New Jersey** has requested authorization to hold their 2011 Juneteeth Celebration commemorating the end of slavery in the United States to be held Friday, June 17, 2011 through June 19, 2011 culminating with a parade on Sunday, June 19, 2011, 2:00 p.m. beginning at Elizabeth Avenue and concluding in front of City Hall.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

BY CITY COUNCIL AS A WHOLE:

WHEREAS, Autism has been diagnosed as affecting more and more children; and

WHEREAS, the Autism Society of America in order to make aware the growing need for concern and awareness about autism has been celebrating National Awareness Month; and

WHEREAS, the United States recognizes the month of April as a special opportunity to educate the public about autism and issues associated with autism in the community; and

WHEREAS, the City Council of the City of Elizabeth supports the efforts of the Autism Society of America in order to educate the public about autism;now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth designates April as Autism Awareness month in the City of Elizabeth; and be it

FURTHER RESOLVED that the City Council of the City of Elizabeth encourages the citizens of Elizabeth to join with the Autism Society of America in bring public awareness to autism and the issues associated with autism.

Councilwoman Perkins-Auguste thanked Councilman Jackus for putting this resolution on tonight's agenda. She continued that hopefully, the firehouse on Fairmount Avenue will be turned into a center for children with autism. She stated further that autism is the highest in New Jersey and she asked for her colleagues support.

Council President Keenan commended Councilwoman Perkins-Auguste and Councilman Jackus on this resolution.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE: [redacted]

[redacted]

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

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

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

AVAYA, INC.	**1-01-31-440**	**$**	**5,628.49**
BAYWAY LUMBER	**1-01-26-310-BLD-308**	**$**	**1,595.60**
ELIZABETHTOWN GAS	**1-01-31-446**	**$**	**3,570.98**
LANGUAGE LINE SERVICES	**1-01-31-440**	**$**	**812.07**
NEXTEL COMMUNICATIONS	**1-01-31-440**	**$**	**2,719.29**
PEPCO ENERGY SERVICES	**1-01-31-446**	**$**	**16,096.71**
PSE&G	**1-01-31-430**	**$**	**16,204.21**
SPRINT	**1-01-31-440**	**$**	**302.85**
USA MOBILITY	**1-01-31-440**	**$**	**547.92**
VERIZON	**1-01-31-440**	**$**	**33,546.79**
VERIZON WIRELESS	**1-02-31-440**	**$**	**347.35**
VERIZON COMMUNICATIONS INC.	**1-01-31-440**	**$**	**647.35**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to commend Tyrone Miller, City of Elizabeth, Housing Inspector, for his dedication as a City employee; and

WHEREAS, Tyrone Miller was alerted of suspicious illegal rooming houses on Walnut Street in Elizabeth. He diligently inspected the houses and wasted no time to take corrective action with professionalism and integrity; and

WHEREAS, Tyrone Miler used integrity and diligence to correct the illegal rooming houses on Walnut Street in Elizabeth; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth recognizes and commends Tyrone Miller for his dedication, commitment and leadership qualities as he carries out his title of Housing Inspector and wishes him continued success as he carries out his duties with professionalism;and be it

FURTHER RESOLVED that a certified copy of this resolution be spread in full upon the minutes of City Council and a certified copy be presented to Tyrone Miller.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that **Steven R. Goncalves**, a member of Boy Scout Troop No. 101/ Pack 101, of Our Lady of Fatima R.C. Church, Elizabeth, New Jersey, has attained the rank of Eagle Scout; and

WHEREAS, to become an Eagle Scout, a Scout must advance through the ranks, earn merit badges, and complete an approved service project. The Eagle award is an accomplishment achieved by only two percent of all boys who join scouting; and

WHEREAS, Steven R. Goncalves' project consisted of renovating specific points of interest within an historical site known as the Deserted Village of Feltville. The Deserted Village of Feltville is a historical town located in the Watchung Reservation of Union County, New Jersey. This historic site is visited by more than 60,000 people a year. Renovation work included:

- Clearing and removing overgrown weeds, grass, shrub and debris that were covering the foundation of one of the significant house structures in the village.
- Restoring the original grass tennis court that was overgrown to the extent that the net posts were hidden in five to seven feet of brush. Additionally, grass seed was applied to the area to return the court back to its original state.
- Repair and painting of the existing picnic tables used by visitors and to clear the area of overgrown weeds and litter. Additionally, wood chips were applied to the picnic area to prevent weed growth and enhance the visual view of the site.

WHEREAS, Boy Scout Troop No. 101/Pack 101 leaders, committee members and the City Council of the City of Elizabeth are proud of **Steven R. Goncalves'** achievements; now, therefore, be it

RESOLVED that the City Council of Elizabeth hereby extends its congratulations to **Steven R. Goncalves** on attaining the rank of Eagle Scout and wishes him every success in his future endeavors.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 9

NEGATIVE: None

[redacted]

BY **CITY COUNCIL** AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned with profound regret of the death of Mr. Juan Reyes, an employee of the Public Works Department of the City of Elizabeth, therefore, be it

RESOLVED, that we, the members of City Council of the City of Elizabeth, hereby express our sincere sorrow at his death and to his family over their great loss; and be it

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

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

Councilman Grova moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Keenan declared City Council adjourned at

8:05 p.m.

APPROVED

JOSEPH KEENAN
President of City Council

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