PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
April 26, 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: [redacted], 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: Grova - 1

ALSO PRESENT: Rocco DiPaola, Second Assistant City Attorney

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

NOTE: Councilman Jackus arrived at 7:40 p.m. and assumed his seat.

PUBLIC SPEAKING

There being no one 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 next business in order would be a public hearing on **Ordinance No. 4209**, entitled:

> AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENVIRONMENTAL ENGINEERING AND REGULATORY COMPLIANCE SERVICES FOR THE CITY OF ELIZABETH AND APPROPRIATING $400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $380,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **March 8, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **April 14, 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 April 7, 2011, from His Honor the Mayor, advising that, subject to confirmation, he is appointing Ms. Barbara Shannon, 665 North Broad Street, Elizabeth, N.J., to serve as a Member of the Elizabeth Housing Authority for a term of five years, effective May 1, 2011.
Which was received.

By the Clerk:
Letter dated April 13, 2011, from His Honor the Mayor, requesting of your Honorable Body, to consider authorizing the park, informally known as Slater Park, located on Slater Drive and Atalanta Place, to be renamed Marciante-Millet-Jackson Park in honor of Army Corporal Luigi Marciante, Jr., Army Specialist Pedro Antonio Millet, IV, and Lance Corporal Francisco R. Jackson from the City of Elizabeth.
Which was received.

By the Clerk:
Letter dated April 11, 2011, from the Business Administrator recommending the renewal of the AFLAC Insurance Program with American Family Life Assurance Company (AFLAC), P.O. Box 15087, Albany, N.Y., to make available to all City employees Personal Accident Indemnity and Personal Short Term Disability Income Protection Insurance for the period May 10, 2011 through May 10, 2014, at no cost to the City of Elizabeth.
Which was received.

By the Clerk:
Letter dated April 12, 2011, from the Business Administrator recommending the award of a contract to Associated Auto Parts, 300 East Elizabeth Avenue, Linden, NJ, 7036 for Auto Parts for Heavy Duty Vehicles for the various departments for the period of April 7, 2011 through March 17, 2012, at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:
Letter dated April 12, 2011, from the Business Administrator recommending the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, N.J., 08361, for Reflective Sheeting for the Public Works Department for the period of April 7, 2011 through September 30, 2011, at a cost not to exceed $30,000.00.
Which was received.

By the Clerk:
Letter dated April 12, 2011, from the Business Administrator recommending the award of a contract to Cleveland Auto & Tire Co., 462 Third Avenue, Elizabeth, N.J., 07206 for Tires and Tubes for Public Works, Police and Fire Department vehicles for the period of April 8, 2011 through April 8, 2012, at a cost not to exceed $200,000.00.
Which was received.

By the Clerk:
Letter dated April 12, 2011, from the Business Administrator requesting that City Council reject the sole bid received March 31, 2011, for the furnishing of one (1) Rescue Water Craft for the Fire Department and authorize the Purchasing Agent to re-advertise with revised specifications.
Which was received.

By the Clerk:
Letter dated April 14, 2011, from the Business Administrator recommending the award of a contract to Flemington Chevrolet, Buick, GMC, Cadillac, LLC, 211 Route 202 & 31 South, Flemington, N.J., 08822 for one (1) Command Response Vehicle – New 2011 Chevrolet Suburban or equal with conversion in the amount of $56,339.00.
Which was received.

By the Clerk:
Letter dated April 14, 2011, from the Business Administrator requesting that City Council reject all bids received on April 7, 2011, for one (1) First Responder Response Vehicle – New 2011 Ford F-25 or equal.
Which was received.

By the Clerk:
Letter dated April 15, 2011, from the Business Administrator recommending the award of a contract to US Mechanical Supply, Inc., 10583 Raystown Road, P.O. Box 574, Huntington, PA 16652, for two (2) Three-Wheel High Performance Mechanical Street Sweepers in the total amount of $339,740.00.
Which was received.

By the Clerk:
Letter dated April 15, 2011, from the Business Administrator requesting the renewal insurance with James River Insurance Group, P.O. Box 27648, Richmond, VA 23261, through the agent-of-record, Hughes-Plumer Associates, covering professional liability for the Engineer and staff for the period May 10, 2011 through May 10, 2012 at an annual premium of $20,317.50.
Which was received.

By the Clerk:
Letter dated April 19, 2011, from the Chief Financial Officer requesting that the Director of the Division of Local Finance make the following corrections in the 2011 Municipal Budget to account for the City's share (local share) of grants subsequent to the adopted budget; Matching funds-City's Share from $299,040.00 to $241,460.00; local share: Safe & Secure Grant 2011 from -0- to $36,852.00; Municipal Alliance Grant 2011 from -0- to $20;720.00.
Which was received.

[redacted]

[redacted]

By the Clerk:

Letter dated April 19, 2011, from the Chief Financial Officer requesting that City Council consider authorizing a Special Emergency Appropriation in an amount not to exceed $3,000,000.00 to fund Accumulated Absences Liabilities resulting from the retirement of employees.
Which was received.

By the Clerk:

Letter dated April 19, 2011, from the Chief Financial Officer recommending that City Council request 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, Department of Law & Public Safety, Office of the Attorney General, State of New Jersey Safe & Secure Grant 2011 in the total sum of $147,409.00, with the City's local share of $36,852.00, and Governor's Council on Alcoholism and Drug Abuse Municipal Alliance Grant 2011 in the total sum of $82,881.00, with the City's local share of $20,720.00.
Which was received.

By the Clerk:

Letter dated April 18, 2011, from the Director of Health and Human Services requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Transit Transportation of Senior Citizens and People with Disabilities Grant Program for an amount not to exceed $200,000.00.
Which was received.

By the Clerk:

Letter dated April 7, 2011, from the Acting Director of Neighborhood Services requesting permission to have a lien placed against the property situated at 874 Flora Street for the demolition of said property in the amount of $12,000.00.
Which was received.

By the Clerk:

Letter dated April 8, 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 for Brand New Day, Inc., 176 First Street, Elizabeth, NJ, for a Community Housing Development Organization Operating Grant for the period July 1, 2009 through June 30, 2010 in the amount of $25,000.00.
Which was received.

By the Clerk:

Letter dated April 8, 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 for Brand New Day, Inc., 176 First Street, Elizabeth, NJ, for a Community Housing Development Organization Operating Grant for the period July 1, 2010 through June 30, 2011 in the amount of $20,000.00.
Which was received

By the Clerk:

Letter dated April 15, 2011, from the Director of Planning and Community Development requesting an amendment to the resolution adopted April 12, 2011, authorizing a Repayable Energy Efficiency and Conservation Revolving Loan for Jose R. Flores and Aileen Cid, specifically to correct the address from 1051 North Avenue to 1015 North Avenue, Elizabeth.
Which was received.

[redacted]

[redacted]

By the Clerk:

Letter dated April 11, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement between the City of Elizabeth and the Elizabeth Packers, Inc., 18 Barnard Place, Elizabeth, NJ, to provide funds to be used to defray operating costs for its' Football League for the period July 1, 2010 through June 30, 2011, in the amount of $6,096.00.
Which was received.

By the Clerk:

Letter dated April 11, 2011, from the Director of Public Works requesting authorization for Pasquale A. Vella, Acting Recycling Coordinator, to endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection.
Which was received.

By the Clerk:

Letter dated April 14, 2011, from the Director of Public Works recommending the award of a contract to Birdsall Services Group, Inc., 65 Jackson Drive, Cranford, NJ, to provide Professional Engineering On-Call Services at a cost not to exceed $55,000.00.
Which was received.

By the Clerk:

Letter dated April 15, 2011, from the Director of Public Works recommending the award of a contract J.C. Contracting, Inc., 1745 Silverton Road, Toms River, NJ, for the traffic signal installations on West Jersey Street at Union Street and Elizabethtown Plaza and Broad Street at Caldwell Place at a cost of $363,590.00.
Which was received.

By the Clerk:

Letter dated April 11, 2011, from the Police Director requesting the establishment of handicapped parking spaces in front of the following locations: 302 East Jersey Street (personalized), 152 Marshall Street (personalized), 426 South Fifth Street (personalized), 918 Roosevelt Street (personalized), 1064 Anna Street, 527 Walnut Street, 37 Delaware Street, 14 Rankin Street, 128 Burnett Street, 1242 Clinton Place, 1440 Lexington Place, 912 Roosevelt Street, 806 Garden Street (from personalized to regular); disapproved: 526 South Broad Street, 620 First Avenue, 177 Glenwood Road; and the deletion of handicapped spaces at: 315 South Fifth Street; 326 Amity Street, 754 Easton Street, 929 Spofford Avenue, 207 Geneva Street, 851 Cross Street.
Which was received.

By the Clerk:

Letter dated April 15, 2011, from Melly Mell Productions, in conjunction with the Elizabeth Cubanos Lions Club, requesting permission to present the 18th annual Elizabeth Waterfront Festival at the Veterans Memorial Waterfront Park on May 28 and 29, 2011, from 1:00 p.m. to 9 p.m.; music from both stages will cease at 7:00 p.m., beer at 8:00 p.m. and vendors at 9:00 p.m.
Which was received.

By the Clerk:

Letter dated April `13, 2011, from the YWCA Eastern Union County, 1131 East Jersey Street, Elizabeth, NJ, advising of their observance of Stand Against Racism Day, to be held April 29, 2011, in the City of Elizabeth with a brief assembly at 11:00 a.m., at Winfield Scott Park to pledge to take a stand against racism in our lives.
Which was received.

[redacted]

REPORTS OF CITY OFFICERS

By the Clerk:

Letter April 26, 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 22, 2011.
Which was received.

By the Clerk:

Letters dated March 29, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of December, 2010, and Statement of Bank Balances and Investments as of December 31, 2010.
Which was received.

By the Clerk:

Letters dated April 19, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of January, 2011, and Statement of Bank Balances and Investments as of January 31, 2011.
Which was received.

By the Clerk:

Minutes: Zoning Board of Adjustment meetings held January 13, 2011, February 10, 2011, and March 10, 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. 4212** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A LEASE AGREEMENT WITH THE NATIONAL RETAIL SKILLS FEDERATION FOR THE SPACE WHERE IT OPERATES THE RETAIL SKILLS CENTER AT THE JERSEY GARDENS MALL FOR A FIVE YEAR PERIOD COMMENCING JULY 1, 2011 AT NO COST TO THE CITY OF ELIZABETH.

The Clerk read the foregoing ordinance.

Councilwoman Perkins-Auguste stated that information was requested by her and Administration did not provide her with such.

Councilwoman Perkins-Auguste MOVED to TABLE Ordinance No. 4212, seconded by Councilman Mazza.

Councilwoman Perkins-Auguste's MOTION to TABLE the foregoing ordinance was then DEFEATED by the following vote:

AFFIRMATIVE: Perkins-Auguste, Mazza - 2

NEGATIVE: Cuesta, Gonzalez, Cedeno, Gallman and President Keenan - 5

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

AFFIRMATIVE: Cuesta, Gonzalez, Cedeno, Gallman, Mazza and President Keenan - 6

NEGATIVE: None

EXCUSED: Perkins-Auguste - 1

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4213** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ENRIQUE MORALES, 302 EAST JERSEY STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta. [redacted], [redacted], Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - X 7

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4214** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR MARITZA BRENNAN, 152 MARSHALL STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta. [redacted] [redacted] Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - X 7

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4215** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR STUART ROBLES, 426 SOUTH FIFTH STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta. Jackus, [redacted], Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - X 7

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4216** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR CARMEN CEDENO, 918 ROOSEVELT STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta. Jackus, [redacted] Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - X 7

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4217** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4148, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR MANUELA D. FREIRE, 806 GARDEN STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta. Jackus, [redacted], Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - ~~8~~ 7

NEGATIVE: None

Council President Keenan announced that public notice will be published fixing Tuesday, May 10, 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. 4212, 4213, 4214, 4215, 4216 and 4217, adopted on first reading.

Councilman Jackus arrived at the meeting at this time.

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ORDINANCES ON FINAL PASSAGE

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4209**, which was seconded by Councilman Gonzalez.

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENVIRONMENTAL ENGINEERING AND REGULATORY COMPLIANCE SERVICES FOR THE CITY OF ELIZABETH AND APPROPRIATING $400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $380,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of $400,000 including the sum of $20,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of $380,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is to provide for engineering, environmental compliance and

remediation and demolition and/or soil removal and related work at 823 East Jersey Street, 733 New Point Road and other parcels, in the City, and including all work and materials necessary therefor and incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any

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

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

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

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $380,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **March 8, 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 14, 2011.**

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

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

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 $147,409 for the Safe & Secure Grant 2011 awarded by the Department of Law & Public Safety, Office of the Attorney General, State of New Jersey 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 $147,409 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:

Department of Law & Public Safety, Office of the AG, State of NJ	
Safe & Secure Grant 2011	$147,409

BE IT FURTHER RESOLVED, that a like sum of $147,409 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:

Department of Law & Public Safety, Office of AG, State of NJ	
Safe & Secure Grant 2011	
Other Expenses	$147,409
Local Share	$36,852

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

NEGATIVE: None

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 $82,881 for the Municipal Alliance Grant 2011 awarded by the Governors Council on Alcoholism and Drug Abuse (thru the County of Union) 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 $82,881 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:

Governors Council on Alcoholism and Drug Abuse	
Municipal Alliance Grant 2011	$82,881

BE IT FURTHER RESOLVED, that a like sum of $82,881 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:

Governors Council on Alcoholism and Drug Abuse	
Municipal; Alliance Grant 2011	
Other Expenses	$82,881
Local Share	$20,720

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

NEGATIVE: None

17

By City Council as a Whole:

WHEREAS, N.J.S.A. 40A 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the Governing Body of the Municipality, make such correction of the title, test or amount of any appropriation appearing in the municipal budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such municipality,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-85, that the City Council of the City of Elizabeth hereby requests the Director of the Division of Local Finance to make the following corrections in the 2011 Municipal Budget;

Name of Appropriation	From	To
Matching Funds-City's Share	$299,040	$241,468
Safe & Secure Grant 2011		
-Local Share	-0-	$36,852
Municipal Alliance Grant 2011		
-Local Share	-0-	$20,720

BE IT FURTHER RESOLVED, that the foregoing correction is, in the opinion of the Governing Body, warranting and authorized by the Statute above referred to, and is necessary for the orderly operation of the City of Elizabeth for the reasons herein above set forth; and,

BE IT FURTHER RESOLVED, that the City Clerk forward two copies of this resolution to the Director of the Division of Local Government Services and one copy each to the Chief Financial Officer, Assistant Comptroller, and Auditor.

Which was adopted by the following vote:

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

NEGATIVE: None

18

[redacted]

A RESOLUTION REQUESTING PERMISSION FOR A DEDICATION BY RIDER FOR DONATIONS-ACCEPTANCE OF BEQUESTS AND GIFTS (FROM THE GARDEN STATE COMMUNITY BANK TO SUPPORT THE CITY'S ANNUAL WOMEN'S EMPOWERMENT SEMINAR IN RECOGNITION OF MOTHER'S DAY) AS REQUIRED BY NJS 40A:5-29

BY CITY COUNCIL AS A WHOLE:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance;

WHEREAS, NJS 40A:5-29 provides for receipts of donations (from the Garden State Community Bank to support the City's Annual Women's Empowerment Seminar in recognition of Mother's Day) by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Donations Fund (from the Garden State Community Bank to support the City's Annual Women's Empowerment Seminar in recognition of Mother's Day) are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by state or other legal requirement:

NOW THEREFORE, BE IT RESOLVED, by City Council of the City of Elizabeth, County of Union, New Jersey as follows:

1. The City Council does hereby request permission of the Director of the Division of Local Governmental Services to pay expenditures of the Donations Fund (from the Garden State Community Bank to support the City's Annual Women's Empowerment Seminar in recognition of Mother's Day) per NJS 40A:5-29.

2. The Clerk of the City of Elizabeth, County of Union, New Jersey, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Governmental Services.

Which was adopted by the following vote:

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

NEGATIVE: None

[redacted]

RESOLUTION PURSUANT TO N.J.S.A. 40A:4-55 PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, AND PROVIDING FOR THE FINANCING THEREOF BY THE ISSUANCE OF SPECIAL EMERGENCY NOTES OF THE CITY

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

SECTION 1. In accordance with N.J.S.A. 40A:4-53(h), the City of Elizabeth, in the County of Union, New Jersey (the "City"), has heretofore finally adopted on February 22, 2011 Ordinance No. 4190 entitled "An Ordinance by the City of Elizabeth, County of Union, State of New Jersey Authorizing a Special Emergency Appropriation Pursuant to N.J.S.A. 40A:4-53 to Fund Accumulated Absence Liability", to fund the cost of accumulated absence liabilities resulting from retirements in Fiscal Year 2011.

SECTION 2. In accordance with N.J.S.A. 40A:4-53, a special emergency appropriation is hereby made for accumulated severance liabilities in the total amount of $3,000,000.

SECTION 3. The City hereby determines to finance the special emergency appropriation referred to in Section 2 herein by the issuance of Special Emergency Notes of the City, which may be renewed from time to time, as provided by law. Pursuant to N.J.S.A. 40A:4-55(b) of the Local Budget Law, at least 1/5th of all such Special Emergency Notes, and renewals thereof, shall mature and be paid in each year, so that all such Special Emergency Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of adoption of this resolution. Accordingly, not to exceed $3,000,000 in Special Emergency Notes are hereby authorized to be issued.

SECTION 4. All Special Emergency Notes issued hereunder shall mature at such times as may be determined by the chief financial officer, subject to the limitations set forth in Section 3 hereof. The chief financial officer shall determine all matters in connection with Special Emergency Notes issued pursuant to this resolution, and the chief financial officer's signature upon the Special Emergency Notes shall be conclusive evidence as to all such determinations. All Special Emergency Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-55(b). The chief financial officer is hereby authorized to sell part or all of the Special Emergency Notes from time to time, at no less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the Special Emergency Notes pursuant to this

resolution is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Special Emergency Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

SECTION 5. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the Special Emergency Notes authorized by this resolution. The Special Emergency Notes shall be direct, unlimited obligations of the City. The powers and obligations of the City to pay any Special Emergency Note issued pursuant to this resolution and the Local Budget Law shall be unlimited and the City shall have the power and be obligated to levy ad valorem taxes upon all taxable property within the City for the payment of such Special Emergency Notes and interest thereon, without limitation of rate or amount.

SECTION 6. All Special Emergency Notes issued pursuant to this resolution shall be executed by the chief financial officer and the Mayor of the City, and shall be under the seal of the City and attested by the City Clerk. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Special Emergency Notes.

SECTION 7. The City reasonably expects to commence the purposes described in the ordinance referred to in Section 1 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of Special Emergency Notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the Special Emergency Notes authorized in Section 2 hereof.

SECTION 8. A copy of this resolution as adopted shall be filed with the Director of Local Government Services in the Department of Community Affairs, State of New Jersey.

SECTION 9. This resolution shall take effect immediately.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby confirm the appointment of **Ms. Barbara Shannon, 665 North Broad Street, Elizabeth, New Jersey 07208,** as a Member of the Housing Authority for a period of five years, said term commencing on May 1, 2011, 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, [redacted], Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 8

NEGATIVE: None

22

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Mayor of the City of Elizabeth has requested authorization for the park informally known as Slater Park, located on Slater Drive and Atalanta Place, to be renamed Marciante-Millet-Jackson Park in honor of Army Corporal Luigi Marciante, Jr., Army Specialist Pedro Antonio Millet IV, and Lance Corporal Francisco R. Jackson from the City of Elizabeth; and

WHEREAS, Army Specialist Millet and Lance Corproal Jackson were lost in combat while serving in Afghanistan; and Army Corporal Marciante was lost in action while serving in Iraq. These young men were dedicated to protecting freedom, defending liberty and improving the quality of life throughout the world. As members of our Elizabeth community, renaming this park after these military heroes would be a testament to their courageous service, commitment and sacrifice while defending our nation; and

WHEREAS, Marciante-Millet-Jackson Park will provide a place of reflection as well as a tribute to all military men and women from the City of Elizabeth currently serving, as well as those who have been lost, at home and abroad; and

WHEREAS, in honor of their bravery and in remembrance of their contributions to our community, a plaque with the names of Army Specialist Millet, Lance Corporal Jackson and Army Corporal Marciante will be placed within the park; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the park informally known as Slater Park, located on Slater Drive and Atalanta Place, to be renamed Marciante-Millet-Jackson Park in honor of Army Corporal Luigi Marciante, Jr., Army Specialist Pedro Antonio Millet IV, and Lance Corporal Francisco R. Jackson from the City of Elizabeth; and be it

FURTHER RESOLVED in honor of their bravery and in remembrance of their contributions to our community, a plaque with the names of Army Specialist Millet, Lance Corporal Jackson and Army Corporal Marciante will be placed within the park.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested an award of a contract to **ASSOCIATED AUTO PARTS, 300 East Elizabeth Avenue, Linden, New Jersey 07036,** for Auto Parts for Heavy Duty Vehicles for the various departments for the period of April 7, 2011 through March 17, 2012 at a cost not to exceed $100,000.00 under State Contract #73729; 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 #73729 and #71688, 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. **ASSOCIATED AUTO PARTS, 300 East Elizabeth Avenue, Linden, New Jersey 07036,** for Auto Parts for Heavy Duty Vehicles for the various departments for the period of April 7, 2011 through March 17, 2012 at a cost not to exceed $100,000.00 under State Contract #73729.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested an award of a contract to **GARDEN STATE HIGHWAY PRODUCTS, 1740 East Oak Road, Vineland, New Jersey 08361,** for Reflective Sheeting for the Public Works Department for the period of April 7, 2011 through September 30, 2011 at a cost not to exceed $30,000.00 under State Contract #74075; 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 #74075, 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 **GARDEN STATE HIGHWAY PRODUCTS, 1740 East Oak Road, Vineland, New Jersey 08361,** for Reflective Sheeting for the Public Works Department for the period of April 7, 2011 through September 30, 2011 at a cost not to exceed $30,000.00 under State Contract #74075.

Which was adopted by the following vote:

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

NEGATIVE: None

25

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested an award of a contract to **CLEVELAND AUTO & TIRE COMPANY, 462 Third Avenue, Elizabeth, New Jersey 07206,** for Tires and Tubes for Public Works, Police and Fire Department vehicles for the period of April 8, 2011 through April 8, 2012 at a cost not to exceed $200,000.00 under State Contract #71687 and #71688; 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 #71687 and #71688, 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 **CLEVELAND AUTO & TIRE COMPANY, 462 Third Avenue, Elizabeth, New Jersey 07206,** for Tires and Tubes for Public Works, Police and Fire Department vehicles for the period of April 8, 2011 through April 8, 2012 at a cost not to exceed $200,000.00 under State Contract #71687 and #71688.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on April 13, 2011, the Purchasing Agent received sealed bids for the furnishing of a Command Response Vehicle for the Fire Department: and

WHEREAS, the Business Administrator and the Purchasing Agent have requested authorization for the award of a contract to the low bidder, **FLEMINGTON CHEVROLET, BUICK, GMC, CADILLAC, LLC, 211 Route 202 & 31 South, Flemington, New Jersey 08822,** for the furnishing of One (1) Command Response Vehicle for the Fire Department in the amount of $56,339.00; 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 **FLEMINGTON CHEVROLET BUICK CADILLAC, LLC**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07857, charging the amount of $56,339.00 to Account No. 1-01-25-265-FIR-362 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of authorizes the award of a contract to the low bidder, **FLEMINGTON CHEVROLET, BUICK, GMC, CADILLAC, LLC, 211 Route 202 & 31 South, Flemington, New Jersey 08822,** for the furnishing of One (1) Command Response Vehicle for the Fire Department in the amount of $56,339.00.

Councilman Gallman stated that due to the rising gas prices, he believes that a smaller vehicle should be purchased. He continued that a Suburban burns a large amount of gas and he would like to see a more economical vehicle.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted], Gonzalez, Cedeno, [redacted], Mazza, and President Keenan - 7

NEGATIVE: None

EXCUSED: GALLMAN — 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on April 12, 2011, the Purchasing Agent received sealed bids for the furnishing of two (2) each Mechanical Street Sweepers for the Department of Public Works; and

WHEREAS, the Business Administrator and the Purchasing Agent have requested authorization for the award of a contract to the sole bidder, **US Municipal Supply, Inc., 10583 Raystown Road, PO Box 574, Huntingdon, PA 16652** for Two (2) Each, Three Wheel High Performance Mechanical Street Sweepers in the amount of $339,740.00; 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 **US Municipal Supply, Inc.**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07892, charging the amount of $339,740.00 to Account No. X-04-55-999-X31-001 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of authorizes the award of a contract to the sole bidder, **US Municipal Supply, Inc., 10583 Raystown Road, PO Box 574, Huntingdon, PA 16652,** for Two (2) Each, Three Wheel High Performance Mechanical Street Sweepers in the amount of $339,740.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted], 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 for the proper City officials to execute an agreement with the **Elizabeth Packers, Inc., 18 Barnard Place, Elizabeth, New Jersey 07208,** to defray Operations Costs for its Football League in the amount of $6,096.00. The term will extend from July 1, 2010 until June 30, 2011; and

WHEREAS, the funds will be used to defray operations costs for the league. The program provides adult and peer mentoring to at-risk, low-moderate income youngsters in a disciplined, structured, recreational environment. Its goal is to prevent anti-social behavior and promote self-confidence, independence and self-esteem; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07796, charging the amount of $6,096.00 to Account No. T-22-56-011-PBS-262, 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 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 enter into and execute an agreement with **Elizabeth Packers, Inc., 18 Barnard Place, Elizabeth, New Jersey 07208,** to defray, Operations Costs for its Football League in the amount of $6,096.00. 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 that promotes academic and recreational skills through an organized football league.

3. The nature of the service provided requires coaching, tutoring, and mentoring skills.

4. The performance of the service cannot be reasonably described by written specifications, as life skills, self-confidence, independence vary from youngster to youngster.

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, [redacted] 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 has requested an award of contract be made to **Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, New Jersey 07016,** to provide City of Elizabeth with Professional Engineering On-Call Services. The scope of the of the work includes in addition to On-Call Consulting Services, health, safety and environmental related issues when needed by the City of Elizabeth on an expedited basis. Services would address project motivated by regulation or emergencies as well as development projects in the amount of $55,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07920 charging the amount of $55,000.00 to Account No. 1-01-26-310-BLD-302 of the Municipal Budget is on file in the Office in the City Clerk; 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 request for qualification was solicited through a fair and open process in accordance with **N.J.S.A.** 19:44A-20.5, et seq., and N.J.S.A. 40A11-5 (a) (i); and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with a **Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, New Jersey 07016,** to provide the City of Elizabeth with Professional Engineering On-Call Services. The scope of the of the work includes in addition to On-Call Consulting Services, health, safety and environmental related issues when needed by the City of Elizabeth on an expedited basis. Services would address project motivated by regulation or emergencies as well as development projects in the amount of $55,000.00.

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

30

WHEREAS, on March 11, 2011, the Office of the Department of Public Works received and reviewed qualification proposals for environmental consulting engineering services from **Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, New Jersey 07016,** in the amount of $55,000.00. The request for qualifications was solicited through a fair and open process in accordance with **N.J.S.A**. 19:44A-20.5, et. seq., and **N.J.S.A**. 40A:11-5 (a) (i); and

WHEREAS, the Director of the Department of Public Works has requested an award of a contract to **Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, New Jersey 07016,** to provide the City of Elizabeth with Professional Engineering On-Call Services. The scope of the of the work includes in addition to On-Call Consulting Services, health, safety and environmental related issues when needed by the City of Elizabeth on an expedited basis. Services would address project motivated by regulation or emergencies as well as development projects; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07920 charging the amount of $55,000.00 to Account No. 1-01-26-310-BLD-302 of the Municipal Budget is on file in the Office in the City Clerk; 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 Local Public Contracts Law (**N.J.S.A.** 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services"without competitive bids and the contract itself must be available for public inspections; now, therefore, be it

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with a **Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, New Jersey 07016,** to provide the City of Elizabeth with Professional Engineering On-Call Services. The scope of the of the work includes in addition to On-Call Consulting Services, health, safety and environmental related issues when needed by the City of Elizabeth on an expedited basis. Services would address project motivated by regulation or emergencies as well as development projects

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on April 15, 2011 the Director of Public Works has received three (3) bids for the traffic signal installations (two locations), West Jersey Street at Union Street – Elizabethtown Plaza and Broad Street at Caldwell Place; and

WHEREAS, the Director of the Department of Public Works has requested authorization for the award of a contract to the lowest responsible bidder, **J. C. CONTRACTING, INC., 1745 Silverton Road, Toms River, New Jersey 08753**, for traffic signal installations (two locations), West Jersey Street at Union Street- Elizabethtown Plaza and Broad Street at Caldwell Place in the amount of $363,590.00; and

WHEREAS, the City has received a grant in the amount of $405,484.28 from the New Jersey Department of Transportation (NJDOT) Urban Aid Program for this project. The award is subject to approval of the NJDOT; 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 **J. C. CONTRACTING, INC.**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-08021, charging the amount of $363,590.00 to Account No. X-04-55-999-X30-001 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 the lowest responsible bidder, **.J . C. CONTRACTING, INC., 1745 Silverton Road, Toms River, New Jersey 08753**, for traffic signal installations (two locations), West Jersey Street at Union Street- Elizabethtown Plaza and Broad Street at Caldwell Place in the amount of $363,590.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for the New Jersey Transit Transportation of Senior Citizens and People with Disabilities Grant Program for an amount not to exceed $200,000.00; and

WHEREAS, the Federal Transit Administration is making funding available to the State of New Jersey for the purchase of equipment for the transportation of senior citizens and people with disabilities under the FTA Section 5310 Grant Program; and

WHEREAS, with this anticipated funding, the Department of Health and Human Services' Office on Aging, will utilize the requested vehicles to expand transportation services throughout the City of Elizabeth. The anticipated senior bus and extended minibus will be used to enhance the current services offered to Elizabeth's senior citizens and disabled individuals, providing transportation to daily activities, City-involved/sponsored activities, events, and programs; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to apply, accept and sign all appropriate documents for the New Jersey Transit Transportation of Senior Citizens and People with Disabilities Grant Program for an amount not to exceed $200,000.00 for the reasons stated hereinabove.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987,c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, the City of Elizabeth is committed to recycling and abiding by the Recycling Act; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the City of Elizabeth hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Pasquale A. Vella, Recycling Coordinator, City Hall, 50 Winfield Scott Plaza, Elizabeth, New Jersey 07201, to ensure that the said Application is properly filed; and be it

FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted], 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 request a grant in the amount of $25,000.00 for **BRAND NEW DAY, INC., 176 First Street, Elizabeth, New Jersey 07208,** for Community Housing Development Organization (CHDO) Operating expenses for the period July 1, 2009 through June 30, 2010. This amount was included in the City's FY 2009 Consolidated Plan and approved by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds is available and appropriated for this purpose in Certification No. 11-08100, charging the amount of $25,000.00 to Account No. 0-29-56-813, 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 authorize a grant in the amount of $25,000.00 for **BRAND NEW DAY, INC., 176 First Street, Elizabeth, New Jersey 07208,** for Community Housing Development Organization (CHDO) Operating expenses for the period July 1, 2009 through June 30, 2010. This amount was included in the City's FY 2009 Consolidated Plan and approved by the U.S. Department of Housing and Urban Development.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted], 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 request a grant in the amount of $20,000.00 for **BRAND NEW DAY, INC., 176 First Street, Elizabeth, New Jersey 07208,** for Community Housing Development Organization (CHDO) Operating expenses for the period July 1, 2010 through June 30, 2011. This amount was included in the City's FY 2010 Consolidated Plan and approved by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds is available and appropriated for this purpose in Certification No. 11-08100, charging the amount of $20,000.00 to Account No. 1-29-56-813, 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 authorize a grant in the amount of $20,000.00 for **BRAND NEW DAY, INC., 176 First Street, Elizabeth, New Jersey 07208,** for Community Housing Development Organization (CHDO) Operating expenses for the period July 1, 2010 through June 30, 2011. This amount was included in the City's FY 2010 Consolidated Plan and approved by the U.S. Department of Housing and Urban Development.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to award a contract to **American Family Life Assurance Company (AFLAC), PO Box 15087, Albany, New York 12212-5087** to make available to all City employees Personal Accident Indemnity and Personal Short Term Disability Income Protection insurance products for a term of three (3) years commencing May 10, 2011 to May 10, 2014 at no cost to the City of Elizabeth as part of the employee voluntary payroll deduction program; 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 as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to enter an agreement with **American Family Life Assurance Company (AFLAC), PO Box 15087, Albany, New York 12212-5087** to make available to all City employees Personal Accident Indemnity and Personal Short Term Disability Income Protection insurance products for a term of three (3) years commencing May 10, 2011 to May 10, 2014 at no cost to the City of Elizabeth as part of the employee voluntary payroll deduction program.
2. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance and Banking in order to qualify to do business within this State. New Jersey Statute 40A:11-5(m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements for Extraordinary, Unspecifiable Service in accordance with the requirements thereof.
3. This cannot be described by written specifications because of the unique nature of the service to be rendered as more fully explained in paragraph (2) above.
4. A notice of this action shall be published in **The Star Ledger.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to renew the Professional Liability Insurance Policy covering the City Engineer & Staff; and

WHEREAS, the Business Administrator has recommended to obtain a renewal of a policy of insurance from **James River Insurance Group, P. O. Box 27648, Richmond, Virginia 23261-7648,** through the agent of record, Hughes-Plumer Associates, covering professional liability for the City Engineer and staff. The term of the policy is May 10, 2011 to May 10, 2012 for the annual premium of $20,317.50; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-07896 charging the amount of $20,317.50 to Account Number 11-01-23-210-INS of the Municipal Budget, is on file in the Office 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 as follows:

1. The proper City officials are hereby authorized and directed to obtain the renewal of a policy of insurance from **James River Insurance Group, P. O. Box 27648, Richmond, Virginia 23261-7648,** through the agent of record, Hughes-Plumer Associates, covering professional liability for the City Engineer and staff. The term of the policy is May 10, 2011 to May 10, 2012 for the annual premium of $20,317.50. This request is being made with the full concurrence of the Insurance Fund Commission

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

3. This cannot be described by written specifications because of the special nature of the services as described in paragraph one (2).

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

Which was adopted by the following vote:

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

NEGATIVE: None

38

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on April 12, 2011 your Honorable Body adopted a resolution which authorized an Energy Efficiency & Conservation Revolving Loan for Jose R. Flores & Aileen Cid for 1051 North Avenue, Elizabeth; and

WHEREAS, the Director of the Department of Planning and Community Development has advised that the correct address for the Energy Efficiency & Conservation Revolving Loan for Jose R. Flores & Aileen Cid is 1015 North Avenue, Elizabeth; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the resolution dated April 12, 2011 which authorized an Energy Efficiency & Conservation Revolving Loan for Jose R. Flores & Aileen Cid at 1051 North Avenue, Elizabeth be amended to correct the address to: 1015 North Avenue, Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have advised that on March 31, 2011 sealed bids were received and opened by the Purchasing Agent for the furnishing of One (1) Rescue Water Craft for the Fire Department; and

WHEREAS, the sole bid received from **Ribcraft USA, LLC, 88-100 Hoods Lane, Marblehead, MA 01945,** did not meet the statutory requirements as the vendor did not submit a Consent of Surety with their bid; now, therefore, be it

WHEREAS, the City Council of the City of Elizabeth rejects the sole bid received from **Ribcraft USA, LLC, 88-100 Hoods Lane, Marblehead, MA 01945,** for the furnishing of One (1) Rescue Water Craft for the Fire Department and authorizes the Purchasing Agent to readvertise with revised specifications.

Which was adopted by the following vote:

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

NEGATIVE: None

40

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have advised that on April 7, 2011, sealed bids were received for the furnishing of One (1) 1st Responder Response Vehicle – New 2011 Ford F250 or Equal for the Department of Fire, Division of Ambulance Service Bureau; and

WHEREAS, the bids for this vehicle have previously been rejected due to bidders not meeting specifications. A rebid and award for the 2011 model of this vehicle would not be able to be made before the manufacturer's cut off dates; based on time to readvertise, re-open and award. Therefore a new bid would require a 2012 vehicle which would cost the City more than the 2011; and

WHEREAS, the Business Administrator and the Purchasing Agent have recommended to reject all bids received for One (1) 1st Responder Response Vehicle – New 2011 Ford F250 or Equal for the Department of Fire, Division of Ambulance Service Bureau; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth rejects all bids received for the furnishing of One (1) 1st Responder Response Vehicle – New 2011 Ford F250 or Equal for the Department of Fire, Division of Ambulance Service Bureau for the reasons stated hereinabove.

Which was adopted by the following vote:

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

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 **874 Flora Street, Elizabeth, New Jersey, Block 8, Lot 693** meet one or more of the criteria hereinabove mentioned; and

WHEREAS, the Bureau of Construction has caused to be demolished the said structure located **874 Flora Street, Elizabeth, New Jersey, Block 8, Lot 693** 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 $12,000.00 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 $12,000.00; 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 **874 Flora Street, Elizabeth, New Jersey, Block 8, Lot 693** is hereby established as a lien upon said lands in the amount of $12,000.00, 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, [redacted], Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - ~~9~~ 8

NEGATIVE: None

42

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **527 Walnut Street, Elizabeth, New Jersey 07201,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Walnut Street

beginning at a point 328' North of Mary Street

continuing 22' North 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, [redacted], Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **912 Roosevelt Street, Elizabeth, New Jersey 07202,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Roosevelt Street
beginning at a point 142' West of Washington Avenue
and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **806 Garden Street, Elizabeth, New Jersey 07202,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Garden
beginning at a point 92' West of Grier Avenue
and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **620 First Avenue, Elizabeth, New Jersey 07206,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the south curb line of First Avenue
beginning at a point 34' West of John Street
and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

46

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **506 Fourth Avenue, Elizabeth, New Jersey 07202,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Fourth Avenue
beginning at a point 86' West of So. Fifth Street
and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

47

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **884 ½ East Jersey Street, Elizabeth, New Jersey 07201,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of East Jersey Street
beginning at a point 44' East of Jacques 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, [redacted], Gonzalez, Cedeno, Gallman, Mazza, and President Keenan - ~~9~~ 8

NEGATIVE: None

48

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **1064 Anna Street, Elizabeth, New Jersey 07201,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Anna Street

beginning at a point 173' West of Catherine Street

continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby amends Chapter 10.44.020 of the Code of the City of Elizabeth to delete the handicapped parking space at premises commonly known as **315 South Fifth Street, 326 Amity Street; 754 Eaton Street; 939 Spoffard Avenue; 207 Geneva Street; 851 Cross Avenue, Elizabeth, New Jersey** in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, Melly Mell Productions, Inc., 812 East Jersey Street, Suite 10, Elizabeth, New Jersey, in conjunction with the **Elizabeth Cubanos Lions Club**, have requested permission to close Front Street (from Elizabeth Avenue to Broadway), Elizabeth Avenue (from First Street to Front Street) and Broadway (from First Street to Front Street) to conduct the Eighteenth Annual Elizabeth Waterfront Festival to be held at the Veterans Memorial Waterfront Park on May 28, 2011 and May 29, 2011, between the hours of 1:00 p.m. to 9:00 p.m.; and

WHEREAS, music from both stages will cease at 7:00 p.m., serving of beer will cease at 8:00 p.m., and vendors will cease at 9:00 p.m; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby grant permission to, **Melly Mell Productions, Inc., 812 East Jersey Street, Suite 10, Elizabeth, New Jersey**, in conjunction with the **Elizabeth Cubanos Lions Club**, have requested permission to close Front Street (from Elizabeth Avenue to Broadway), Elizabeth Avenue (from First Street to Front Street) and Broadway (from First Street to Front Street) to conduct the Eighteenth Annual Elizabeth Waterfront Festival to be held at the Veterans Memorial Waterfront Park on May 28, 2011 and May 29, 2011, between the hours of 1:00 p.m. to 9:00 p.m. on condition that it comply with all provisions contained in Chapter 72B of the Code of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted] 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 **Robert Petrick v. City of Elizabeth, et al, CP No.: 2010-830;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement in the amount of $15,900.00 for the claim filed by **Robert Petrick**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-08022 charging the amount of $15,900.00 to Account No. 01-21-56-249 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 $15,900.00 payable to **Robert Petrick, 27 Lenhome Drive, Cranford, New Jersey 07016,** and the **Attorney for the Plaintiff, LaRocca, Feeley & Associates, L.L.C., 78 South Orange Avenue, Suite 211, South Orange, New Jersey 07079.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on April 29, 2011, the YWCA of Eastern Union County will be observing "Stand Against Racism Day", along with over 70 YWCA's and 2,500 organizations around the country; and

WHEREAS, the YWCA of Eastern Union County will be partnering with the United Way of Greater Union County and Kean University on their praiseworthy mission to eliminate racial inequalities in employment, education, health care, housing, human services and other areas that affect the quality of an individual's life; and

WHEREAS, the strength and success of the State of New Jersey, the vitality of our communities, and the effectiveness of our American society depend, in great measure, upon superb organizations; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth joins in honoring the YWCA of Eastern Union County for its meritorious record of service to the community, and extends best wishes for a successful and informative "Stand Against Racism" event on April 29, 2011 at 11:00 a.m. at Winfield Scott Park; and be it

FURTHER RESOLVED, that a certified copy of this resolution be spread upon the minutes of City Council and a certified copy be sent to the YWCA of Eastern Union County.

Which was adopted by the following vote:

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

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:

ELIZABETHTOWN GAS	**1-01-31-446**	**$**	**40,170.06**
FLEETCOR TECHNOLOGIES SERVICE	**1-01-31-460**	**$**	**116,510.50**
HESS CORPORATION	**1-01-31-435**	**$**	**119,097.68**
LANGUAGE LINE SERVICES	**1-01-43-440**	**$**	**942.42**
NATIONAL FUEL OIL, INC.	**1-01-31-447**	**$**	**6,517.50**
NATIONAL TERMINAL, INC.	**1-01-31-447**	**$**	**6,863.85**
PSE&G	**1-01-31-435**	**$**	**34,250.65**
SPRINT	**1-01-31-440**	**$**	**1,703.20**
VERIZON	**1-01-31-440**	**$**	**17,335.71**
VERIZON WIRELESS	**1-01-31-440**	**$**	**672.18**
VERIZON WIRELESS	**1-01-31-440**	**$**	**15,537.53**
VERIZON COMMUNICATIONS	**1-01-31-440**	**$**	**625.55**

Which was adopted by the following vote:

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

NEGATIVE: None

54

[redacted]

BY COUNCIL AS A WHOLE:

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

ORGANIZATION	AG	B.L.	R.L.	DATE
Auxiliary of Trinitas Regional			5258	4-18-11
HAS Our Lady of Guadalupe			5259	4-18-11
St. Mary's Rosary Confraternity		1325		4-28-11
St. Mary's Assumption		1326		4-28-11

Which was adopted by the following vote:

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

NEGATIVE: None

55

[redacted]

BY **CITY COUNCIL AS A WHOLE:**

WHEREAS, the City Council of the City of Elizabeth, New Jersey, has learned that Ms. Pauline Shirley is being honored by Brand New Day, now therefore be it

RESOLVED that the City Council of the City of Elizabeth extends their congratulations to Ms. Shirley and wishes her continued success in all her endeavors; now therefore be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of City Council and that a certified copy be forwarded to Ms. Pauline Shirley.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted], 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 that in honor of National Volunteer Appreciation Week the Center for Hope Hospice & Palliative Care is hosting its annual Awards Dinner, honoring Bernie Fliger as this year's recipient of the **Make A Difference Award,** in memory of Father Charles Hudson; and

WHEREAS, Bernie Fliger has been a devoted volunteer at the Theo House and most recently, Father Hudson House, Elizabeth, New Jersey for the past eleven years. He has demonstrated many of Father Hudson's gifts and talents on a daily basis as he follows his faith and ministers to the needs of the terminally ill. He has helped keep Father Hudson's mission and memory alive through countless volunteer hours; and

WHEREAS, the City Council of the City of Elizabeth gratefully recognizes the deep commitment and outstanding devotion Bernie Fliger has made over the years; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth recognizes that the National Volunteer Appreciation Week the Center for Hope Hospice & Palliative Care is honoring Bernie Fliger this year's recipient of the **Make A Difference Award.** This award acknowledges his compassionate qualities and charitable works as he follows his faith and ministers to the needs of the terminally ill at the Father Hudson House, Elizabeth, New Jersey congratulates and wishes him continued success in all of his future endeavors; 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 Bernie Fliger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted] 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 that Elizabeth's Promise Awards honoring Mrs. Joan Tomek at its Fifth Annual Scholarship Program. Joan Tomek is a dynamic and remarkable educator; and

WHEREAS, Joan Tomek was born and raised in Elizabeth. She attended the Elizabeth School system graduating from Battin High School. She received her BA from Bloomfield College, Master's Degree from Kean University, Sixth Level from the College of New Jersey and Kean University. Her certifications include Elementary Teacher, English 7-12, Supervisors Certificate, Principals Certificate, and School Administrators Certificate; and

WHEREAS, Joan began her illustrious career as an elementary teacher, teaching Kindergarten, Grades 2, 3, 4, 5, Title One, BSI, EHS High School, Summer School, Saturday School, and after school programs. She later became a Resource Teacher, which was the predecessor of the Vice-Principal position; and

WHEREAS, her career has spanned over 45 years. She taught at School #20 for ten years, and then she moved onto Nicholas Murray Butler School No. 23, where she remained for twenty-eight years. While at School No. 23, she was named Vice-Principal, a job she performed with diligence and perseverance. Joan was then assigned to Theodore Roosevelt School No. 17, and Dr. Orlando Edreira Academy School No. 26 where she remained until April 30, 2011. Most recently Joan was assigned as the Vice-Principal of School No. 28, Juan Pablo Duarte-Jose Julian Marti School; and

WHEREAS, Joan is the recipient of the Kappy Award, the Award of Meritorious Service from the Elizabeth Board of Education and the Governors Teacher Award. She is also a member of Kappa Delta Pi, an International Honor Society in Education; and

WHEREAS, Joan is married to Raymond Tomek and they have a son, Jeff, a daughter- in-law, Stacy and three grandsons, Matthew Ryan, Evan Christopher, and Shane Michael; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth recognizes and congratulates Joan Tomek for being a recipient of the Elizabeth's Promise Awards for her remarkable career and dedication as an educator and wishes her continued success in all of her future endeavors; 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 Mrs. Joan Tomek.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted] 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 Edward M. Shields, Detective Elizabeth Police Officer, 57; and

WHEREAS, born in Elizabeth, New Jersey, Mr. Shields lived in Rahway since 1993; and

WHEREAS, he was a police officer for the City of Elizabeth for thirty-three years; and

WHEREAS, he was the beloved husband for twenty-six years of Josephine (Fedele) Shields; devoted father of Patrolman Edward J. Shields of Elizabeth, and Michael A. Shields of Rahway; dear son of Gloria (Crist) Shields of Rahway, and the late Edward John Shields, and loving brother of Robert J. Shields of Palm Coast, Florida, and Peggy A. Azydzik of Clark, New Jersey; and

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Edward M. Shields and wishes to express sympathy to his family, relatives and friends at this time of their loss; and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Mildred Beatrice Pridgen Pigford ("Aunt Bea"); and

WHEREAS, she was born in LaGrange, North Carolina on February 12, 1933. In 1955 she moved to Elizabeth, New Jersey. In 1957 she returned to North Carolina, then returns to Elizabeth, where she was employed at Singers Sewing Factory in downtown Elizabeth until 1981; and

WHEREAS, Aunt Bea is best known for her love for her family and her passion for cooking southern cuisine. After many years of cooking family dinners, and many special requests at the Pridgen/Whitley/Thompson family reunions, she decided to start her own catering business, "Bea's Catering"; and

WHEREAS, after the loss of her only son, Limmie D. Pridgen she opened up the door of her home for childcare; and

WHEREAS, she was predeceased by her husband Donald Pigford, Sr., her son (the joy of her life), Limmie D. Pridgen, a grandson Laquan D. Pridgen, and twenty-one siblings; and

WHEREAS, she is survived by her sibling, her sister, Wilhelmina Edwards of Maryland, her grandson, Limmie D. Pridgen II of Maryland, her great-grandson Xavier T. Pridgen of Maryland; two-stepchildren, Donald Pigford, Jr. of New Jersey and Pamela Pigford of Nebraska; two nephews John and Jante Whitley of New Jersey; her grandchildren Tanya Myers, Rhonda McClain, Kyshona Spivey, Javonne Spivey, Ibn Spivey all of New Jersey, Amber Whiting of Maryland, Julius Adger of South Carolina. Two daughter-in-laws, Lora L. Brooks of Maryland and Michele D. Pridgen of New Jersey. Her nieces, Evelyn, Pridgen of New Jersey and Vera Qunn of Pine Top, North Carolina. Two very special friends, Victoria Howard of New Jersey and Carrie Clark of New Jersey and a host of other nieces and nephews and extended family members; now, therefore, be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Bertha M. Roberts (nee Arrington), 79 of Sun City, California, formerly of Orange, New Jersey and Montclair, New Jersey; and

WHEREAS, Bertha M. Roberts was predeceased by her husband, Randolph A. Roberts and sister, Katherine Arrington-Smallwood; and

WHEREAS, she was a devoted mother to Yolanda M. Roberts, the City of Elizabeth's Municipal Clerk, Niyokhia, Stephanie and Dyle; grandmother to Jerell, James, Davon, Dante, Jasmine, Ayannah, Amirah, Brandon and Tristan; sister-in-law to William Roberts and Robert Roberts, Nettie Wills and Ruth Henderson, and also leaves a host of nieces, nephews, family and friends; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing Bertha M. Roberts and wishes to express sympathy to her family, relatives and friends at this time of their loss; and be it

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

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

Councilman Cuesta moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Keenan declared City Council adjourned at

7:55 p.m.

APPROVED

JOSEPH KEENAN
President of City Council

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