PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
August 23, 2011
7:30 p.m.

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

Council President Keenan announced that this regular meeting is listed in the "Annual Notice", as defined by Chapter 231, P.L. 1975, and that copies of the "Annual Notice" have been mailed or delivered to the Star Ledger, Home News and Tribune, and Cablevision of Elizabeth and posted and filed in the City Clerk's Office in compliance with the terms of the Open Public Meetings Law, Chapter 231, P.L. 1975 on December 28, 2010.

PRESENT: Council Members-at-Large: Patricia Perkins-Auguste;
[redacted]; Edward Jackus;
Council Members: Manny Grova, Jr., 1st Ward;
Nelson Gonzalez, 2nd Ward; Carlos Cedeno, 4th Ward;
William Gallman, Jr., 5th Ward; [redacted], 6th Ward;
and President Joseph Keenan, 3rd Ward - ~~8~~ 7

ABSENT: Cuesta, Mazza - 2

ALSO PRESENT: Rocco DiPaola, Assistant City Attorney

NOTE: Councilwoman Perkins-Auguste arrived at the meeting at 7:32 p.m. and assumed her seat.

PUBLIC SPEAKING

Mr. Richard Baldwin, 438 West Jersey Street, stated that the condition of the road located at West End Place and Chilton Street is in disrepair. He continued that he is aware it is a County road, but he wants to bring it to the City Council attention.

Ms. Ernestine Smith, an Elizabeth resident, stated that she is "disgusted" with the school's lunch program and will go to the Federal Prosecutor because what they did is not fair and is truly nepotism. She stated further that she knows City Council's hands are tied.

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

PUBLIC HEARINGS

Council President Keenan announced that the next business in order would be a public hearing on **Ordinance No. 4230**, entitled:

STATE FISCAL YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
COST OF LIVING ALLOWANCE (COLA) AND TO ESTABLISH A
CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT
(N.J.S.A. 40A:4-45.14)

This ordinance was adopted on its first reading at the meeting of City Council held on **July 26, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **August 15, 2011**.

The Clerk read the foregoing ordinance by title and Council President Keenan asked if there was anyone present who wished to speak either for or against the adoption of the ordinance.

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

Council President Keenan announced that the next business in order would be a public hearing on **Ordinance No. 4233**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ROLANDO ANDERSON, 429 MARSHALL STREET, ELIZABETH, NEW JERSEY 07206.

This ordinance was adopted on its first reading at the meeting of City Council held on **July 26, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **August 15, 2011**.

The Clerk read the foregoing ordinance by title and Council President Keenan asked if there was anyone present who wished to speak either for or against the adoption of the ordinance.

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

Council President Keenan announced that the next business in order would be a public hearing on **Ordinance No. 4234**, entitled:

ORDINANCE OF THE CITY OF ELIZABETH, COUNTY OF UNION, STATE OF NEW JERSEY APPROVING THE APPLICATION AND THE FINANCIAL AGREEMENT WITH RENAISSANCE APARTMENTS URBAN RENEWAL, LLC FOR A LONG TERM TAX ABATEMENT FOR THE BUILDINGS LOCATED AT 136-142 FIRST STREET, 201-203 FIRST STREET, 170-174 FIRST STREET AND 176 FIRST STREET (BLOCK/LOT: 2-360, 1-105, 1-121 & 1-122, RESPECTIVELY), THE PRESERVATION AND RENOVATION OF A TOTAL OF FORTY-FOUR (44) AFFORDABLE HOUSING UNITS AND A COMMUNITY SERVICE FACILTY.

This ordinance was adopted on its first reading at a special meeting of City Council held on **August 2, 2011**.

The Notice of Public Hearing was published in the Star Ledger issue of **August 15, 2011**.

The Clerk read the foregoing ordinance by title and Council President Keenan asked if there was anyone present who wished to speak either for or against the adoption of the ordinance.

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

Council President Keenan announced that the next order of business would be a public hearing on the Elizabeth Avenue Special Improvement District Budget for Fiscal Year 2012 in the amount of $414,062.50.

Council President Keenan asked if there was anyone present who wished to speak either for or against the adoption of the Elizabeth Avenue Special Improvement District Budget for Fiscal Year 2012.

There being no one present who desired to be heard, Council President Keenan declared the public hearing closed.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated July 14, 2011, from His Honor the Mayor, subject to confirmation, is reappointing Candido Rodriguez, Jr., Esq., and Diene Hernandez-Rodriguez, Esq., 442 Westfield Avenue, Elizabeth, NJ; Chanima K. Odoms, Esq., 1812 Front Street, Scotch Plains, NJ; Deidre M. Mason, Esq., 1812 Front Street, Scotch Plains, NJ; Celeste Dudley-Smith, Esq., 2810 Morris Avenue, Suite 311, Union, NJ; Nuno Afonso, Esq., 546-548 Elizabeth Avenue, First Floor, Elizabeth, NJ; Lindal Scott Foster, Esq., 1139 East Jersey Street, Suite 401, Elizabeth, NJ; Maria M. Dias, Esq., 701 Westfield Avenue, Elizabeth, NJ, to serve as Municipal Public Defenders for the Municipal Court for the period covering July 1, 2011 to June 30, 2012, at a rate of $300.00 per session; Candido Rodriguez, Esq., shall be designated Chief Municipal Public Defender at the additional compensation of $5,000.00, for a total amount not to exceed $140,000.00.
Which was received.

By the Clerk:
Letter dated July 18, 2011, from the Business Administrator recommending the award of a contract to Ricoh America's Corporation, c/o Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, NJ, for the maintenance of the City's owned photocopiers for the period of July 1, 2011 through June 30, 2012, in the amount not to exceed $40,000.00; Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, NJ, for the leasing of new photocopiers for the period of July 1, 2011 through December 31, 2011, in the amount not to exceed $20,000.00, for a total expenditure not to exceed $60,000.00.
Which was received.

By the Clerk:
Letter dated July 20, 2011, from the Business Administrator recommending the award of a contract to Atlantic Detroit Diesel Allison, LLC, 33 Gregg St., Lodi, NJ, for the maintenance and repair for heavy duty vehicles for various departments for the period of July 13, 2011 through February 29, 2012, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated July 20, 2011, from the Business Administrator requesting permission for the Purchasing Agent to make the necessary arrangements to auction impounded property in the possession of the Elizabeth Police Department to be held by Propertyroom.Com, State pre-approved on-line auction site; date of the sale will be set by the auction company and will be published in the Newark Star Ledger contingent upon City Council's approval.
Which was received.

By the Clerk:
Letter dated July 20, 2011, from the Business Administrator recommending the contract renewal with the law firm of Genova, Burns & Giantomasi, 494 Broad Street, Newark, NJ, to provide the same employment counsel for the fiscal year July 1, 2011 to June 30, 2012, at a rate of $175.00 per hour for attorneys, $75.00 per hour for paralegals and $25.00 per hour for secretarial overtime, if authorized by the City Attorney, for a total cap of $95,000.00.
Which was received.

By the Clerk:

Letter dated July 20, 2011, from the Business Administrator recommending the award of a contract to Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ, for the purchase of one (1) 2012 Chevrolet Tahoe PPV for the Fire Department at a cost of $30,769.00.
Which was received.

By the Clerk:

Letter dated July 21, 2011, from the Business Administrator recommending the award of a contract to Archonix Systems, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, NJ, for maintenance and Annual License for Software for Police Computer Assisted Records Management and Dispatch System Software and XMobile Clients for a period of one year in the amount of $72,019.00.
Which was received.

By the Clerk:

Letter dated July 26, 2011, from the Business Administrator recommending the award of a contract DFFLM, LLC, t/a Ditschman Flemington Ford, 215 Routes 202 & 31, Flemington, NJ, for one (1) Conversion Package for the City's 2011 GMC Pickup Truck for the Fire Department in the amount of $22,735.00.
Which was received.

By the Clerk:

Letter dated July 26, 2011, from the Business Administrator recommending that City Council adopt a resolution authorizing an Intergovernmental Agreement between the City of Elizabeth and The County of Union for the purpose of fiber technology to be used to create a fiber ring for the ability to transmit information throughout major governmental facilities at the county and municipal levels for the creation of virtual private networks and for security cameras; the City will reimburse the County of Union for the installation of fiber strands in an amount not to exceed $250,000 and use and maintenance charges not to exceed $8,100 quarterly with a 6% increase per year for a five (5) year period commencing January 1, 2012 to December 31, 2016, with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years.
Which was received.

By the Clerk:

Letter dated July 27, 2011, from the Business Administrator recommending the award of a contract to Kimball/National, 1600 Royal Street, Jasper, IN, for the purchase of office furniture for the Police Detective Bureau in the amount of $4,117.20, and with Herman Miller, c/o BFI, Business Furniture, Inc., 10 Lanidex Center West, Parsippany, NJ, for the purchase of office furniture for the Police Detective Bureau in the amount of $5,438.32; for a total cost of $9,555.52.
Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator recommending the award of a contract with Horizon HealthCare Dental Services, 1427 Wyckoff Road, Farmingdale, NJ, to provide a Dental Insurance Program for employees for a two (2) year period, commencing July 1, 2011 to June 30, 2013, in a total amount not to exceed $925,000.00 per year, or a total amount not to exceed $1,850,000.00 covering a two (2) year period.
Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator recommending that City Council adopt a resolution authorizing an Intergovernmental Agreement between the City of Elizabeth and the Parking Authority of the City of Elizabeth for the purpose of installation and maintenance of Security Cameras for $1 per year; the Parking Authority will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System for a five (5) year, period commencing September 1, 2011 to August 31, 2016, with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years; the Parking Authority will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System.
Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator recommending that City Council adopt a resolution authorizing an Intergovernmental Agreement between the City of Elizabeth and the Housing Authority of the City of Elizabeth for the purpose of installation and maintenance of Security Cameras for $1 per year for a five (5) year period from September 1, 2011 to August 31, 2016, with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years; the Housing Authority will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System.
Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator requesting that City Council consider adopting a resolution in support of Senator Lautenberg's Senate resolution calling to express a moment of remembrance in honor of the 10th Anniversary of September 11, 2001, on September 11, 2011.
Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator recommending the award of a contract to Associated Auto Parts, 300 East Elizabeth Avenue, Linden, NJ, for the purchase of automotive and light duty truck parts for various departments for the period of July 22, 2011 through July 26, 2012, in an amount not to exceed $150,000.00.
Which was received.

By the Clerk:

Letter dated July 29, 2011, from the Business Administrator recommending the award of a contract to Buywise Auto Parts, 2091 Springfield Avenue, Vauxhall, NJ, for the purchase of automotive and light duty truck parts for various departments for the period of July 22, 2011 through July 26, 2012, in an amount not to exceed $100,000.00.
Which was received.

By the Clerk:

Letter dated July 29, 2011, from the Business Administrator recommending the award of a contract to Malouf Ford-Lincoln-Mercury, P.O. Box 7480, North Brunswick, NJ, for the purchase of automotive and light duty truck parts for various departments for the period of July 22, 2011 through July 26, 2012, in an amount not to exceed $50,000.00.
Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, NJ, covering the Medical Services for the City of Elizabeth for the period September 1, 2011 to August 31, 2012, in an amount not to exceed $95,000.00.
Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Business Administrator recommending the award of a contract to AAM Motor Sales, d/b/a Jersey City Ford, 315 Clendenny Avenue at Route 440, Jersey City, NJ, for maintenance and repair services for vehicles for the period of June 30, 2011 to August 1, 2012, at a cost not to exceed $40,000.00.
Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Business Administrator recommending the award of a contract to Scibal Associates, Inc., 30 Knightsbridge Road, Piscataway, NJ, to provide for the administration of the City's Third Party Administration of the Workers' Compensation and Auto Liability/Property Program for a period of three (3) years, commencing August 1, 2011 through July 31, 2014, in the amount of $190,000.00 per year.
Which was received.

[redacted]

By the Clerk:
Letter dated August 1, 2011, from the Business Administrator recommending the awarding a contract to Storr Tractor Company, 3191 Route 22, Branchburg, NJ, to purchase ground equipment for various departments for the period of July 22, 2011 through July 31, 2012, at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:
Letter dated August 1, 2011, from the Business Administrator recommending the award of a contract to AAM Motor Sales, d/b/a Jersey City Ford, 315 Clendenny Avenue at Route 440, Jersey City, NJ, for the purchase of miscellaneous automotive parts for all departments for the period of August 1, 2011 to August 1, 2012, at a cost not to exceed $10,000.00.
Which was received.

By the Clerk:
Letter dated August 2, 2011, from the Business Administrator recommending the award of a contract to Motorola Communications & Electronics, Inc., P.O. Box 305, Bordentown, NJ, for the purchase of communications equipment and accessories for various departments for the period of August 1, 2011 through January 31, 2012, at a cost not to exceed $400,000.00.
Which was received.

By the Clerk:
Letter dated August 2, 2011, from the Business Administrator recommending the award of a contract to National Fuel Oil, Inc., 175 Orange Street, Newark, NJ, for the purchase of gasoline for the Public Works Marina for the period of August 1, 2011 through October 31, 2011, at a cost not to exceed $75,000.00.
Which was received.

By the Clerk:
Letter dated August 2, 2011, from the Business Administrator requesting authorization for the proper City officials to enter into and execute a Shared Services Agreement for Printing and Signage Services by and between the City of Elizabeth and the County of Union.
Which was received.

By the Clerk:
Letter dated July 26, 2011, from the City Attorney requesting an amendment to a resolution adopted July 27, 2010, approving a contract with Raymond S. Londa to provide "Professional Services" at an hourly rate of $175.00 plus disbursements, with a cap of $65,000.00, specifically to increase the cap to provide for attorney fees in excess of the cap and out of pocket expenses at an additional cost of $2,306.98, raising the amount of the contract to $67,306.98.
Which was received.

By the Clerk:
Letter dated July 28, 2011, from the Second Assistant City Attorney requesting amendments to Chapter 2.100.20 of the Code of the City of Elizabeth, entitled "Fees for Municipal Records, Pamphlets and Codes" and Chapter 2.56.060, entitled "Police Department Services-Fees Established", so that the City Code is in compliance with state law.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated August 1, 2011, from the Second Assistant City Attorney requesting, on behalf of Councilman Grova, to enter into an access agreement with Conrail for the purpose of entering its right-of-way, known as Chemical Coast Secondary, for the purpose of painting the sound barriers of the New Jersey Turnpike, between First and Third Avenue on Glen Zamorski Drive.
Which was received.

By the Clerk:
Letter dated July 21, 2011, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel disallowed senior citizen deductions for the Tax Year 2010, as per the delineated lists in the amount of $2,750.00.
Which was received.

By the Clerk:
Letter dated August 2, 2011, from the Chief Financial Officer advising that transfers for the 2011 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated August 2, 2011, from the Chief Financial Officer advising that temporary emergency appropriations for the 2012 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated August 2, 2011, from the Chief Financial Officer advising that a Dedication by Rider resolution may be necessary.
Which was received.

By the Clerk:
Letter dated July 22, 2011, from the Director of Health and Human Services recommending the award of a contract to Pedro Beckford, MD, 39 Third Street, Elizabeth, NJ, for Pediatric Physician Services for the period July 1, 2011 through June 30, 2012, at a rate of $100.00 per hour, not to exceed $40,000.00, unless further authorized by your Honorable Body.
Which was received.

By the Clerk:
Letter dated July 22, 2011, from the Director of Health and Human Services recommending the award of a contract to Stephen J. Hricko, MD, 227 Edgewood Road, Linden, NJ, for Pediatric Physician Services/Sexually Transmitted Disease Services for the period July 1, 2011 through June 30, 2012, at a rate of $100.00 per hour, not to exceed $40,000.00, unless further authorized by your Honorable Body.
Which was received.

By the Clerk:
Letter dated July 22, 2011, from the Director of Health and Human Services recommending the award of a contract to Francisco A. Saavedra, MD, 605 Irvington Avenue, Hillside, NJ, for Sexually Transmitted Disease Services for the period July 1, 2011 through June 30, 2012, at a rate of $200.00 per hour, not to exceed $60,000.00, unless further authorized by your Honorable Body.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated July 27, 2011, from the Director of Health and Human Services recommending the award of a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, NJ, for the performance of Senior Health Promotion/Risk Reduction Services for the period July 1, 2011 through June 30, 2012, at a rate of $80.00 per hour, not to exceed $11,520.00, unless further authorized by your Honorable Body.
Which was received.

By the Clerk:
Letter dated July 27, 2011, from the Director of Health and Human Services recommending the award of a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, NJ, for the performance of Health Educator Services for the period of July 1, 2011 through June 30, 2012, at a rate of $70.00 per hour; not to exceed $10,395.00, unless further authorized by your Honorable Body.
Which was received.

By the Clerk:
Letter dated August 6, 2011, from the Director of Health and Human Services requesting authorization to enter into an agreement between the City of Elizabeth, Department of Health and Human Services and the Elizabeth Board of Education to provide for nursing services to non-public schools for the period of September 1, 2011 through June 30, 2012, the Department of Health and Human Services will receive $119,533.00.
Which was received.

By the Clerk:
Letter dated July 19, 2011, from the Acting Director of Neighborhood Services requesting permission to place a lien on the properties located a 106 Court Street and 160-166 First Street in the amount of $25,500.00 for the demolition of said properties.
Which was received.

By the Clerk:
Letter dated July 19, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to extend the lease agreement, adopted December 22, 1983 by Ordinance No. 1578, for the rental of space at 1018 East Grand Street to the Salvation Army, Inc., at an annual rental fee of one dollar ($1.00) through June 18, 2013.
Which was received.

By the Clerk:
Letter dated July 29, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute a contract with Rutgers University, 33 Livingston Avenue, New Brunswick, NJ, for a Baseline Study and Data Mapping Services of the Emma Street Area for approximately six (6) months commencing June 20, 2011 through December 31, 2011, at a cost not to exceed $10,000.00.
Which Was Referred To Council As A Whole.

By the Clerk
Letter dated July 29, 2011, from the Director of Planning and Community Development requesting an amendment to a resolution adopted August 24, 2010, which authorized a Rental Housing Program Deferred Payment Loan to New Jersey Community Development Group, LLC, for the acquisition and rehabilitation of property located at 1008-1014 ½ Emma Street in the amount of $350,000; specifically to change the address to 1006-1014 Emma Street and increase the loan amount an additional $35,000 to enable the developer to utilize the City's HOME Program Green Construction Supplement and incorporate green materials and design features into this project.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated July 29, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to submit an Urban Enterprise Zone Proposal for Zone Assistance Funds; Customer Service Skills Training Initiative Program - Phase 4 in the amount of $297,900.00.
Which was received.

By the Clerk:
Letter dated July 8, 2011, from the Director of Public Works requesting permission to have liens placed against the properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of $12,464.77.
Which was received.

By the Clerk:
Letter dated August 1, 2011, from the Director of Public Works requesting authorization for the proper City officials to endorse and file the 500 feet and 1,000 feet Drug Free Zone Maps prepared by the Bureau of GIS of Union County in accordance with the Drug Free Zone Map Law.
Which was received.

By the Clerk:
Letter dated August 1, 2011, from the Director of Public Works recommending the award of a contract to The Musial Group, PA, 191 Mill Lane, Mountainside, NJ, to provide architectural and construction management services in connection with the Midtown Train Station Streetscape Project at a cost not to exceed $78,020.00.
Which was received.

By the Clerk:
Letter dated August 1, 2011, from the Director of Public Works requesting approval of a contract amendment with Kupper, LLC, 1200 Lenox Drive, Suite 101, Trenton, NJ, to provide professional engineering services in connection with sewer rates and assessments in the amount of $30,000.00, specifically to additional services at an additional cost not to exceed $25,000.00, thereby raising the amount of the contract to $55,000.00.
Which was received.

By the Clerk:
Letter dated August 2, 2011, from the Director of Public Works requesting approval of Change Order No. 2 - Final for the contract awarded to Montana Construction Corporation, for the Verona Avenue/Gebhardt Avenue Storm Sewer Improvement Project at an original cost of $5,823,050.00, to provide further for additional labor and materials at an additional cost of $464,637.40, which combined with the previous change order, raises the contract to $6,474,129.30.
Which was received.

By the Clerk:
Letter dated July 21, 2011, from the Police Director requesting the establishment of reserved/personalized handicapped parking spaces and deletions at the following locations; 21 S. Second Street, 32 Cedar Avenue, 14 Rankin Street, 920 Adams Avenue, 1448 Lexington Place; deletions: 746 Jackson Avenue, 419 Franklin Street, 123 Acme Street.
Which was received.

By the Clerk:
Letter dated July 28, 2011, from Lt. Dugan, Traffic Division, requesting an amendment to Chapter 10.28.050 Schedule III – No Parking or Stopping; to add Caldwell Place, both sides, No Parking All Times, between Elizabethtown Plaza and Broad Street; West Jersey Street, both sides, No Parking All Times, between Elizabethtown Plaza and Broad Street; add Elizabethtown Plaza, both sides, No Parking All Times, between West Jersey Street and Caldwell Place; amend Chapter 10.28.070 entitled Forty-Five Degree angle parking, specifically to delete Caldwell Place, south side, between Elizabethtown Plaza and Broad Street.
Which was received.

By the Clerk:
Letter dated February 2, 2010, from Mr. Martinho Pereira, 661-665 Monroe Avenue, Elizabeth, requesting an Encroachment Permit to install a canopy and decorative lighting in the public right-of-way of 661-665 Monroe Avenue.
Which was received.

By the Clerk:
Letter dated July 5, 2011, from Tyree Environmental Corp., 2702 Cindel Drive, Suite 7, Cinnaminson, NJ, requesting, on behalf of Getty Petroleum Marketing, Inc. , a Sidewalk and Road Opening Permit to perform soil sampling activities in the sidewalk and road area in front of the Getty Station, located at 1101 East Jersey Street
Which was received.

By the Clerk:
Letter dated July 19, 2011, from The Elm Group, 218 Wall Street, Princeton, NJ, requesting, on behalf of the former Monarch Metal Fabricators, Inc., an Encroachment Permit for the installation of one (1) soil boring at 10-20 South Spring Street.
Which was received.

By the Clerk:
Letter dated July 29, 2011, from the Morris Midtown Business Association, P.O. Box 443, Elizabeth, NJ, requesting permission to host the 9th Annual Colombian Independence Day Festival to be held Sunday, July 29, 2012, between 12 Noon and 9:00 p.m., rain dates scheduled for Sunday, August 5 or Sunday, August 12, 2012,
Which was received.

By the Clerk:
Letter dated June 20, 2011, from Victor Ramirez, 624 Pennsylvania Avenue, Elizabeth, NJ, requesting to be appointed as a Constable for a term of three years.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter August 23, 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, August 19, 2011.
Which was received.

By the Clerk:
Letters dated July 21, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of May, 2011, and Statement of Bank Balances and Investments as of May 31, 2011.
Which was received.

By the Clerk:
Letters dated July 21, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of June, 2011, and Statement of Bank Balances and Investments as of June 30, 2011.
Which was received.

By the Clerk:
Minutes: Fair Rental Housing Board, May 18, 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. 4235** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO AMEND CHAPTER 2.100 "FEES FOR MUNICIPAL RECORDS, PAMPHLETS AND CODES", SPECIFICALLY CHAPTER 2.100.020 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED " FEES ESTABLISHED" AND TO AMEND CHAPTER 2.56.060 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "POLICE DEPARTMENT SERVICES-FEES ESTABLISHED"

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4236** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE AUTHORIZING THE ENDORSEMENT AND FILING OF THE 500 FEET AND 1,000 FEET DRUG FREE ZONE MAPS PREPARED BY THE BUREAU OF GIS OF UNION COUNTY IN ACCORDANCE WITH THE DRUG FREE ZONE MAP LAW.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4237** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO AMEND CHAPTER 10.28.050, SECTION III OF THE CITY CODE OF THE CITY OF ELIZABETH ENTITLED "NO STOPPING OR STANDING," SPECIFICALLY TO ADD CALDWELL PLACE, BOTH SIDES; NO PARKING ALL TIMES BETWEEN ELIZABETHTOWN PLAZA AND BROAD STREET; WEST JERSEY, BOTH SIDES, NO PARKING ALL TIMES, BETWEEN ELIZABETHTOWN PLAZA AND BROAD STREET; AND ELIZABETHTOWN PLAZA, BOTH SIDES, NO PARKING ALL TIMES, BETWEEN WEST JERSEY AND CALDWELL PLACE; AND AMEND CHAPTER 10.28.070, ENTITLED 'FORTY-FIVE DEGREE ANGLE PARKING, 'SPECIFICALLY TO DELETE CALDWELL PLACE, SOUTH SIDE, BETWEEN ELIZABETHTOWN PLAZA AND BROAD STREET.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4238** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO AUTHORIZE THE RENEWAL AND EXECUTION OF A LEASE AGREEMENT FOR THE RENTAL OF SPACE AT 1018 EAST GRAND STREET, ELIZABETH, NEW JERSEY, FOR THE PERIOD OF JUNE 18, 2011 THROUGH JUNE 18, 2013, BY THE ELIZABETH NEW JERSEY CORPS OF THE SALVATION ARMY, A NEW YORK CORPORATION, 1005 EAST JERSEY STREET, ELIZABETH, NEW JERSEY, TO PROVIDE EMERGENCY SHELTER FOR HOMELESS INDIVIDUALS AT THE ANNUAL RENTAL FEE OF ONE DOLLAR ($1.00) PER YEAR.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4239** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO VALENCA BAR AND RESTAURANT, 661-665 MONROE AVENUE, ELIZABETH, NEW JERSEY, TO INSTALL A CANOPY AND DECORATIVE LIGHTING IN THE PUBLIC RIGHT-OF-WAY AT 661-665 MONROE AVENUE, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4240** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO TYREE ENVIRONMENTAL CORP, 2702 CINDEL DRIVE, SUITE 7, CINNAMINSON, NEW JERSEY ON BEHALF OF GETTY PETROLEUM MARKETING, INC., REQUESTING AN ENCROACHMENT PERMIT TO PERFORM SOIL SAMPLING ACTIVITIES IN THE SIDEWALK AND ROAD AREA IN FRONT OF THE GETTY STATION LOCATED AT 1101 EAST JERSEY STREET.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4241** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO THE ELM GROUP, INC., 218 WALL STREET, PRINCETON, NEW JERSEY ON BEHALF OF THE FORMER MONARCH METAL FABRICATORS, INC., FOR THE INSTALLATION OF ONE (1) SOIL BORING DIRECTLY NORTHEAST OF 10-20 SOUTH SPRING STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4242**, which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4205, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR KAZIMIERZ CIUBA, 21 SOUTH SECOND STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4243**, which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4080, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR CAROL A. LOCKETT, 123 ACME STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4244** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3259, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ENRIQUE MILANES, 419 FRANKLIN STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that public notice will be published fixing Tuesday, September 13, 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. 4235, 4236, 4237, 4238, 4239, 4240, 4241, 4242, 4243 and 4244 adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4230**, which was seconded by Councilman Grova.

STATE FISCAL YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
COST OF LIVING ALLOWANCE (COLA) AND TO ESTABLISH A
CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to **2.5 %** or the Cost-of Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than **2.5 %**, increase its final appropriations by a percentage rate greater than the COLA, but not to exceed the **3.5 %** rate as specified in the law, when authorized by ordinance; and

WHEREAS, the COLA for State Fiscal Year 2012 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as **2.5 %**; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than **2.5 %** , may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the **3.5 %** percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the City Council of the City of Elizabeth in the County of Union finds it advisable and necessary to increase its State Fiscal Year 2012 budget by more than **2.5 %** over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and

WHEREAS, the City Council of the City of Elizabeth hereby determines a **1.0 %** increase in the budget for said year, amounting to **$1,676,521.00** in excess of the increase in the final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the City Council of the City of Elizabeth hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Elizabeth in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the fiscal year 2012 budget year, the final appropriations of the City of Elizabeth shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by **3.5 %**, amounting to **$5,867,823.50** and that the State Fiscal Year 2012 municipal budget for the City of Elizabeth be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **July 26, 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 **August 15, 2011.**

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

AFFIRMATIVE: Perkins-Auguste, [redacted] Jackus, Grova, Gonzalez, [redacted] Gallman, [redacted] and President Keenan - ~~8~~ 6

NEGATIVE: None

EXCUSED: CEDENO — 1

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4233**, which was seconded by Councilman Grova.

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ROLANDO ANDERSON, 429 MARSHALL STREET, ELIZABETH, NEW JERSEY 07206.

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

SECTION 1. - A personalized handicapped parking space for **Rolando Anderson** is established in front of **429 Marshall Street, Elizabeth, New Jersey 07206,** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the North curb line of Marshall Street beginning at a point 265' West of Fourth Avenue and continuing 22' West thereof.

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **July 26, 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 **August 15, 2011.**

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

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

NEGATIVE: None

Council President Keenan announced that the next business in order would be the adoption of **Ordinance No. 4234**, which was seconded by Councilman Grova.

ORDINANCE OF THE CITY OF ELIZABETH, COUNTY OF UNION, STATE OF NEW JERSEY APPROVING THE APPLICATION AND THE FINANCIAL AGREEMENT WITH RENAISSANCE APARTMENTS URBAN RENEWAL, LLC FOR A LONG TERM TAX ABATEMENT FOR THE BUILDINGS LOCATED AT 136-142 FIRST STREET, 201-203 FIRST STREET, 170-174 FIRST STREET AND 176 FIRST STREET (BLOCK/LOT: 2-360, 1-105, 1-121 & 1-122, RESPECTIVELY), THE PRESERVATION AND RENOVATION OF A TOTAL OF FORTY-FOUR (44) AFFORDABLE HOUSING UNITS AND A COMMUNITY SERVICE FACILTY.

WHEREAS, the properties in question have been declared an area in need of redevelopment; and,

WHEREAS, the City Council of the City ("City Council") adopted an Ordinance on May 14, 1998 approving a redevelopment plan for the revitalization and redevelopment of the Project Site (the "**Redevelopment Plan**"); and

WHEREAS, Renaissance Apartments Urban Renewal, L.L.C. (the " **Entity**") will cause the buildings located at 136-142 First Street (Block 2, Lot 360), 201-203 First Street (Block 1, Lot 105), 170-174 First Street (Block 1, Lot 121) and 176 First Street (Block 1, Lot 122) to be substantially renovated to create 44 low and moderate income housing units, 20 of which will be reserved for young adults with very low income who are aging out of foster care, and a community service facility for the Elizabethport neighborhood (the "**Project**"); and

WHEREAS, the Project will conform to the Redevelopment Plan and all applicable municipal zoning ordinances, to the extent it contains provisions that are relevant to the Project, and will be in conformance with the master plan of the City; and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful Project, the City may enter into a financial agreement with the Entity governing payments made to the City in lieu of real estate taxes on the Project pursuant to the provisions of the New Jersey Housing Mortgage Finance Agency Law (statutory citation N.J.S.A. 55:14K-1 et seq. – the "**HMFA**" Law); and

WHEREAS, the provisions of the HMFA Law authorize the City to accept, in lieu of real property taxes, an Annual Service Charge (as defined in the HMFA Law), to be paid by the Entity to the City; and

WHEREAS, pursuant to N.J.S.A. 55:14K-37, the Entity filed an application with the City for approval of a tax abatement for the Project under the New Jersey Housing and Mortgage Agency Finance Law (the "**Application**"); and

WHEREAS, the proposed form of financial agreement sets forth the terms and conditions under which the Entity and the City shall carry out their respective obligations with respect to payment of the Annual Service Charge by the Entity for the Project; and

WHEREAS, the Mayor, together with counsel for the City, has reviewed the Application and found that it complies with the provisions of the HMFA Law; and

WHEREAS, the Mayor together with counsel for the City, has reviewed the terms of the proposed financial agreement (the "**Financial Agreement**") and has recommended that the Application be approved and the Financial Agreement, a copy of which has been filed with the City Clerk, be executed; and

WHEREAS, the City Council finds that the relevant benefits of the Project to the redevelopment of the redevelopment area, outweigh the cost associated with granting the Long Term Tax Abatement; and

WHEREAS, the City Council has determined that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Project and assist the Redeveloper in meeting the City's affordable housing needs.

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

1. The findings set forth in the Preamble are hereby adopted as part of this Ordinance;

2. The Application filed by the Entity is hereby approved pursuant to N.J.S.A. 55:14K-37.

3. The Mayor of the City is hereby authorized to execute the Financial Agreement substantially in the form as it has been presented to the City Council subject to modification or revision deemed necessary and appropriate in consultation with counsel.

4. The Clerk of the City is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section 2 hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed thereupon affix the corporate seal of the City upon such document.

5. This ordinance shall take effect in accordance with law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council special meeting held . **August 2, 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 **August 15, 2011.**

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

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

NEGATIVE: None

Councilman Grova **MOVED** for a Suspension of the Rules to consider an ordinance and a resolution which do not appear on the agenda, seconded by Council President Keenan and

Which was carried unanimously.

Council President Keenan announced that the next business in order would be the introduction of **Ordinance No. 4245** , which was seconded by Councilman Grova, entitled:

AN ORDINANCE TO AMEND CHAPTER 3.12 OF THE CODE OF THE CITY OF ELIZABETH, WHICH PROVIDES FOR TAX ABATEMENTS FOR CERTAIN RESIDENTIAL PROPERTY BY EXTENDING THE EXPIRATION DATE RETROACTIVE FROM JUNE 14, 2010 TO JUNE 14, 2015.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Keenan announced that public notice will be published fixing Tuesday, September 13, 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 No. 4245 adopted on first reading.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of Planning and Community Development has requested authorization to rescind the resolution dated February 9, 2010, which approved a deferred payment loan to Heritage Village at Elmora LLC and now authorize the proper City officials to execute any and all documents necessary and appropriate to provide a Rental Housing Program Deferred Payment Loan to **Oaks at Westminster Urban Renewal, LLC,** which will be developed by **Community Investment Strategies, Inc.,** for the rehabilitation of a sixty (60) unit building at 350 Irvington Avenue, Elizabeth, New Jersey; and

WHEREAS, the purpose is for rehabilitation costs in the maximum amount of $1,421,674.00 and the total project cost is $12,409,803.00; and

WHEREAS, the terms are that the loan of 0% interest and repayable after a thirty (30) year period of affordability; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-01405, charging the amount of $ 1,421.674.00 to Account No.2-14-56-813, of the Municipal Budget is on file in the Office of the City Clerk; 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 **Oaks at Westminster Urban Renewal, LLC**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification No. 12-01405 charging the amount of $1,421,674.00 to Account Number 2-14-56-813 of the Municipal Budget and is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the rescission of the resolution dated February 9, 2010, which approved a deferred payment loan to Heritage Village at Elmora LLC and that the proper City officials are authorized to execute any and all documents necessary and appropriate to provide a Rental Housing Program Deferred Payment Loan to **Oaks at Westminster Urban Renewal, LLC,** which will be developed by **Community Investment Strategies, Inc.,** for the

rehabilitation of a sixty (60) unit building at 350 Irvington Avenue, Elizabeth, New Jersey. The purpose is for rehabilitation costs in the maximum amount of $1,421,674.00 and the total project cost is $12,409,803.00. The terms are that the loan of 0% interest and repayable after a thirty (30) year period of affordability; and be it

FURTHER RESOLVED the funds shall not be released until after execution of the necessary and appropriate documents including the Environmental Review Process and, upon receipt of the Release of Funds, if necessary, and any other requirements deemed necessary by the U.S. Department of Housing & Urban Development in accordance with HOME Program rules and regulations

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - [redacted] 7
NEGATIVE:	None

The regular order of business was then resumed.

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ELIZABETH AVENUE SPECIAL IMPROVEMENT DISTRICT BUDGET NOTICE

Elizabeth Avenue Special Improvement District of the City of Elizabeth, County of Union, for the Fiscal Year 2012.

BE IT RESOLVED that the following statements of revenue and appropriations shall constitute the Elizabeth Avenue Special Improvement District Budget for the Fiscal Year 2012.

BE IT FURTHER RESOLVED that said Budget be published in The Star-Ledger in the issue of August 12, 2011.

NOW THEREFORE, BE IT RESOLVED that the governing body of the City of Elizabeth does hereby approve the following as the Elizabeth Avenue Special Improvement District Budget for the Fiscal Year 2012.

AYES:

ABSENT:

Notice is hereby given that the Elizabeth Avenue Special Improvement District Budget was approved by the City Council of the City of Elizabeth, County of Union, on July 26, 2011.

A hearing on said budget will be held at Elizabeth City Hall on August 23, 2011, at 7:30 P.M. at which time and place objections to said Budget for the Fiscal Year 2012 may be presented by Elizabeth Avenue Special Improvement District taxpayers or other interested persons.

REVENUES	
Private Sponsor	$27,000.00
UEZ	$167,062.50
Amount to be Raised by Special Improvement District	$220,000.00
Surplus Utilized	
Total Revenues	$414,062.50

APPROPRIATIONS	
Promotions	$173,982.00
Safety & Security	$49,388.00
Administration	$190,692.50
Total Appropriations	$414,062.50

Which was adopted by the following vote:

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

NEGATIVE: None

By City Council as a Whole:

WHEREAS an emergent condition has arisen with respect to the need for payment of certain bills before the adoption of the FY 2012 budget , and no adequate provision has been made in the Fiscal Year 2012 appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency resolutions adopted for the Fiscal Year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total $68,118,055.83, now therefore be it

RESOLVED that in accordance with the provisions of N.J.S. 40A: 4-20

1. An emergency appropriation be and the same is hereby made for and said emergency appropriations will be provided in the FY 2012 budget under the titles of:

	Description	Salaries and Wages	Other Expenses
	Insurance		200,000.00
	Insurance Reserve		1,400,000.00
	City Council		12,000.00
	Health Department		100,000.00
	Grants:		
	Transit Village Program 2011		300,000.00
	Recycling Grant 2009	69,935.76	
	Law Enforcement Technology Grant		500,000.00
	subtotal	69,935.76	2,512,000.00
	TOTAL		2,581,935.76

Be it further resolved that one copy of this resolution be filed with the Director of Local Government Services.

Which was adopted by the following vote:

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

NEGATIVE: None

[redacted]

A RESOLUTION REQUESTING PERMISSION FOR A DEDICATION BY RIDER FOR DONATIONS-ACCEPTANCE OF BEQUESTS AND GIFTS (FROM THE ESTATE OF DOROTHY D. BLACK TO SUPPORT THE ELIZABETH CITY POUND) 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 Estate of Dorothy D. Black to support the Elizabeth City Pound) 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 Estate of Dorothy D. Black to support the Elizabeth City Pound) 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 Estate of Dorothy D. Black to support the Elizabeth City Pound) 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, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - 7

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Mayor has appointed, Candido Rodriquez, Jr., Esq. and Diene Hernandez-Rodriguez, Esq., of the firm of Candido Rodriguez, Jr., Diene Hernandez-Rodriguez, LLC, Attorneys at Law, 442 Westfield Avenue, First Floor, Elizabeth, New Jersey 07208, and Chanima K. Odoms, Esq., 1812 Front Street, Scotch Plains, New Jersey 07076; and Deirdre M. Mason, Esq., The Mason Law Firm, 1812 Front Street, Scotch Plains, New Jersey 07076, Celeste Dudley-Smith, Esq., The Dudley-Smith Law Firm, LLC, 2810 Morris Avenue, Suite 103, Union, New Jersey 07083, and Nuno Afonso, Esq., Jubilo L. Afonso, Esq., Afonso & Afonso, LLC, 546-548 Elizabeth Avenue, First Floor, Elizabeth, New Jersey 07206, and Lindal Scott Foster, Esq., Scott Foster, LLC, 1139 East Jersey Street, Suite 401, Elizabeth, New Jersey 07201 and Maria M. Dias, Attorney at Law, 701 Westfield Avenue, Elizabeth, New Jersey 07208 to serve as Municipal Public Defenders for the Municipal Court for the period covering July 1, 2011 to June 30, 2012 at a rate of $300.00 per session, and Candido Rodriguez, Jr., is designated as the Chief Municipal Public Defender and will receive a stipend of $5,000.00 a year for serving as same, for a total amount not to exceed $140,000.00; and

WHEREAS, these appointments/contracts are being made pursuant to a fair and open procedure pursuant to **N.J.S.A**. 19:44A-20.5, et seq.; and

WHEREAS, the above appointments were made by the Mayor subject to the confirmation, advise and consent of the City Council; 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 confirms, advises and consents to the appointed Candido Rodriquez, Jr., Esq. and Diene Hernandez-Rodriguez, Esq., of the firm of Candido Rodriguez, Jr., Diene Hernandez-Rodriguez, LLC, Attorneys at Law, 442 Westfield Avenue, First Floor, Elizabeth, New Jersey 07208, and Chanima K. Odoms, Esq., 1812 Front Street, Scotch Plains, New Jersey 07076; and Deirdre M. Mason, Esq., The Mason Law Firm, 1812 Front Street, Scotch Plains, New Jersey 07076, Celeste Dudley-Smith, Esq., The Dudley-Smith Law Firm, LLC, 2810 Morris Avenue, Suite 103, Union, New Jersey 07083, and Nuno Afonso, Esq., Jubilo L. Afonso, Esq., Afonso & Afonso, LLC, 546-548 Elizabeth Avenue, First Floor, Elizabeth, New Jersey 07206, and Lindal Scott Foster, Esq., Scott Foster, LLC, 1139 East Jersey Street, Suite 401, Elizabeth, New Jersey 07201 and Maria M. Dias, Attorney at Law, 701 Westfield Avenue, Elizabeth, New Jersey 07208 to serve as Municipal Public Defenders for the Municipal Court for the period covering July 1, 2011 to June 30, 2012 at a rate of $300.00 per session, and Candido Rodriguez, Jr., is designated as the Chief Municipal Public Defender and will receive a stipend of $5,000.00 a year for serving as same, for a total amount not to exceed $140,000.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - 6

NEGATIVE: None

EXCUSED: GROVA — 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **RICOH AMERICA'S CORPORATION C/O IKON OFFICE SOLUTIONS, INC., 100 Passaic Avenue, Fairfield, New Jersey 07704,** for the Maintenance of City's owned photocopiers under their State Contract # 51464 in the amount not to exceed $40,000.00 for the period of July 1, 2011 through June 30, 2012; and with **IKON OFFICE SOLUTIONS, INC., 100 Passaic Avenue, Fairfield, New Jersey 07004,** for the Leasing of new photocopiers under their State Contract #64039 in the amount not to exceed $20,000.00 for the period of July 1, 2011 through December 31, 2011, for a total expenditure not to exceed $60,000.00; and

WHEREAS, State Contracts are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #51464, and State of New Jersey Contract # 64039 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it ,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **RICOH AMERICA'S CORPORATION C/O IKON OFFICE SOLUTIONS, INC., 100 Passaic Avenue, Fairfield, New Jersey 07704,** for the Maintenance of City's owned photocopiers under their State Contract # 51464 in the amount not to exceed $40,000.00 for the period of July 1, 2011 through June 30, 2012; and with **IKON OFFICE SOLUTIONS, INC., 100 Passaic Avenue, Fairfield, New Jersey 07004,** for the Leasing of new photocopiers under their State Contract #64039 in the amount not to exceed $20,000.00 for the period of July 1, 2011 through December 31, 2011, for a total expenditure not to exceed $60,000.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - 6

NEGATIVE: None

EXCUSED: GROVA — 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **ATLANTIC DETROIT DIESEL ALLISON, LLC, 33 Gregg St., Lodi, New Jersey 07644,** per the request of the Director of Public Works for the Maintenance and Repair of Heavy Duty Vehicles for Various Departments for the period of July 13, 2011 through February 29, 2012 at a cost not to exceed $50,000.00 under their State Contract #73511; and

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

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

WHEREAS, State Contracts are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; 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 #73511, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it ,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **ATLANTIC DETROIT DIESEL ALLISON, LLC, 33 Gregg St., Lodi, New Jersey 07644,** per the request of the Director of Public Works for the Maintenance and Repair of Heavy Duty Vehicles for Various Departments for the period of July 13, 2011 through February 29, 2012 at a cost not to exceed $50,000.00 under their State Contract #73511

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for Labor and Employment Counsel to provide legal services to the City of Elizabeth in connection with the bargaining units recognized by the City Council of the City of Elizabeth; and

WHEREAS, the Business Administrator with the concurrence of the City Attorney has requested authorization to enter into a contract with **GENOVA, BURNS & VERNOIA, Attorneys at Law, Eisenhower Plaza II, 354 Eisenhower Parkway, Livingston, New Jersey 07039** for the purpose of providing legal services as Labor and Employment Counsel to the City of Elizabeth with bargaining units recognized by the City Council of the City of Elizabeth for the period of July 1, 2011 through June 30, 2012, at the rate of $175.00 per hour for attorneys, $75.00 per hour for paralegals, and $25.00 per hour for secretarial overtime at a cost not to exceed $95,000.00; and

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

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

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

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

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

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

1. The Mayor and City Clerk are hereby authorized and directed to execute a contract with the firm of **GENOVA, BURNS & VERNOIA, ESQS., Eisenhower Plaza II, 354 Eisenhower Parkway, Livingston, New Jersey 07039-1023,** for the purpose of providing legal services as Labor and Employment Counsel with bargaining units recognized by the City Council of the City of Elizabeth for the period of July 1, 2011 through June 30, 2012 at the rate of $175.00 per hour for attorneys, $75.00 per hour for paralegals and $25.00 per hour for secretarial overtime, if authorized by the City Attorney at a cost not to exceed $95,000.00 without the express approval of City Council of the City of Elizabeth.

2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because **N.J.S.A.** 40A:5-11 exempts from bidding professional services, and the services rendered are to be performed by a person authorized by Law to practice a recognized profession and whose profession is regulated by law and which requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.

3. That the within authority is limited to a total of $95,000.00 at the hourly rate of $175.00 for attorneys $75.00 for paralegals and $25.00 for secretarial overtime without the further approval of City Council.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **WINNER FORD, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034,** per the request of the Director of the Fire Department for the purchase of One (1) 2012 Chevrolet Tahoe PPV for the Fire Department at a cost of $30,769.00 under state contract #A79008; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00326, charging the amount of $3,769.00 to Account No. 2-01-25-265-FIR-362, of the Municipal Budget is on file in the Office of the City Clerk;

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 #A79008, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it ,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **WINNER FORD, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034,** per the request of the Director of the Fire Department for the purchase of One (1) 2012 Chevrolet Tahoe PPV for the Fire Department at a cost of $30,769.00 under state contract #A79008.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, Purchasing Agent and the Supervisor of Data Processing Operations are requesting the award a contract to the sole vendor, **ARCHONIX SYSTEMS, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, N.J. 08053** for Maintenance and Annual License for Software for the Police System in the amount of $72,019.00 for a period of one year from July 1, 2011 through June 30, 2012; and

WHEREAS, the contract was publicly advertised on the City of Elizabeth's website from July 8, 2011 through July 20, 2011; 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 **ARCHONIX SYSTEMS, LLC;** and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00526, charging the amount of $29,891.00 to Account No. 2-01-25-240-POL-311, Certification No. 12-00525 charging the amount of $42,128.00 to Account No. 2-01-20-140-DPR-307 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 Elizabeth authorizes the award of a contract be made to the sole vendor **ARCHONIX SYSTEMS, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, N.J. 08053** for Maintenance and Annual License for Software for the Police System in the amount of $72,019.00 for a period of one year from July 1, 2011 through June 30, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have made a request to award a contract to the sole bid, **DFFLM, LLC, T/A Ditschman Flemington Ford, 215 Routes 202 & 31, Flemington, NJ 08822,** for one (1) Conversion Package for the City's 2011 GMC Pickup Truck (awarded by City Council on 5/24/2011 through State Contract #A78847) for the Department of Fire, ambulance Service Bureau in an amount not to exceed $22,735.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.12-000524, charging the amount of $22,735.00 to Account No. 1-01-25-265-FIR-362, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to the to the sole bid, **DFFLM, LLC, T/A Ditschman Flemington Ford, 215 Routes 202 & 31, Flemington, NJ 08822,** for one (1) Conversion Package for the City's 2011 GMC Pickup Truck (awarded by City Council on 5/24/2011 through State Contract #A78847) in an amount not to exceed $22,735.00

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **KIMBALL/NATIONAL, 1600 Royal Street, Jasper, IN 47549,** per the request of the Director of the Department of Public Works for the purchase of Office Furniture for the Police Detective Bureau in the amount of $4,117.20 under their state contract #A69941 and with **HERMAN MILLER C/O BFI, BUSINESS FURNITURE, INC., 10 Landix Center West, Parsippany, New Jersey 07054**, for the purchase of Office Furniture for the Police Detective Bureau in the amount of $5,438.32 under their state contract #A57053 for a total cost of $9,555.52; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00655 charging the amount of $4,117.20 to Account No. X-4-55-000-X18-001 and Certification No. 12-00656 charging the amount of $5,438.32 to the Account of X-04-55-000-X18-001of the Municipal Budget is on file in the Office of the City Clerk;

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 #A69941 and State of New Jersey #A57053, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C**.5:34-1.2; now, therefore, be it ,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to to **KIMBALL/NATIONAL, 1600 Royal Street, Jasper, IN 47549,** per the request of the Director of the Department of Public Works for the purchase of Office Furniture for the Police Detective Bureau in the amount of $4,117.20 under their state contract #A69941 and with **HERMAN MILLER C/O BFI, BUSINESS FURNITURE, INC., 10 Landix Center West, Parsippany, New Jersey 07054**, for the purchase of Office Furniture for the Police Detective Bureau in the amount of $5,438.32 under their state contract #A57053 for a total cost of $9,555.52.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **ASSOCIATED AUTO PARTS, 300 East Elizabeth Avenue, Linden, New Jersey 07036,** per the request of the Director of the Department of Public Works for the purchase of Automotive & Light Duty Truck Parts for various departments for the period July 22, 2011 through July 26, 2012 in an amount not to exceed $150,000.00 under the Somerset County Cooperative Purchasing Contract #2-SOCCP-CC-48-10; 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,** per the request of the Director of the Department of Public Works for the purchase of Automotive & Light Duty Truck Parts for various departments for the period July 22, 2011 through July 26, 2012 in an amount not to exceed $150,000.00 under the Somerset County Cooperative Purchasing Contract #2-SOCCP-CC-48-10

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **BUYWISE AUTO PARTS, 2091 Springfield Avenue, Vauxhall, N.J. 07088,** per the request of the Director of the Department of Public Works for the purchase of Automotive & Light Duty Truck Parts for various departments for the period of July 22, 2011 through July 26, 2012, in an amount not to exceed $100,000.00 under the Somerset County Cooperative Purchasing Contract #2-SOCCP-CC-48-10; 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 **BUYWISE AUTO PARTS, 2091 Springfield Avenue, Vauxhall, N.J. 07088,** per the request of the Director of the Department of Public Works for the purchase of Automotive & Light Duty Truck Parts for various departments for the period of July 22, 2011 through July 26, 2012, in an amount not to exceed $100,000.00 under the Somerset County Cooperative Purchasing Contract #2-SOCCP-CC-48-10.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **MALOUF FORD-LINCOLN MERCURY, P.O. BOX 7480, North Brunswick, N.J. 08902,** per the request of the Director of the Department of Public Works for the purchase of Automotive & Light Duty Truck Parts for various departments for the period of July 22, 2011 through July 26, 2012 at cost not to exceed $50,000.00 under the Somerset County Cooperative Purchasing Contract #2-SOCCP-CC-48-10; 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 **MALOUF FORD-LINCOLN MERCURY, P.O. BOX 7480, North Brunswick, N.J. 08902,** per the request of the Director of the Department of Public Works for the purchase of Automotive & Light Duty Truck Parts for various departments for the period of July 22, 2011 through July 26, 2012, at a cost not to exceed $50,000.00 under the Somerset County Cooperative Purchasing Contract #2-SOCCP-CC-48-10.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and Purchasing Agent per the request of the Director of the Fire Department have recommended the award of a contract to **AAM MOTOR SALES, DBA JERSEY CITY FORD, 315 Clendenny Ave at Route 440, Jersey City, New Jersey 07304,** for the Maintenance and Repair Services for Vehicles for the period of June 30, 2011 to August 1, 2012 at a cost not to exceed $40,000.00 under State Contract #76419; 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,

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 #76419, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **AAM MOTOR SALES, DBA JERSEY CITY FORD, 315 Clendenny Ave at Route 440 Jersey City, New Jersey 07304,** for the Director of the Fire Department for the Maintenance and Repair Services for Vehicles for the period of June 30, 2011 to August 1, 2012 at a cost not to exceed $40,000.00 under State Contract #76419.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

WHEREAS, the Business Administrator has recommended that the City renew the contract with **Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, New Jersey 07201,** to provide medical services for City of Elizabeth Fire, Police and City Employees for a one (1) year period effective September 1, 2011 through August 31, 2012 at a cost not to exceed $95,000.00; and

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

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

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

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with **Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, New Jersey 07201,** in an amount not to exceed $95,000.00 to provide medical services for Fire, Police and City Employees, for a one year period, September 1, 2011 through August 31, 2012. The

services would be performed under the direction of, Dr. Francisco Munoz, M.D., who is licensed to practice in the State of New Jersey, under License #43867. The other two physicians participating under this contract are Dr. Guillermo Munoz, D.O, and Dr. James Perez, M.D.

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

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

Councilman Grova stated that he needs to clarify his questions regarding these contracts because the response is not clear.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to award a contract to **SCIBAL ASSOCIATES, INC., (Formerly Qual Care, Inc.), 30 Knightsbridge Road, Piscataway, N. J. 08855**, to provide for the Administration of the City's Third Party Administration of the Workers' Compensation & Auto Liability/Property Program for a period of three (3) years. The period of the contract will commence August 1, 2011 through July 31, 2014 in the amount of $190,000.00 per year for a total contract cost of $570,000.00 covering the three (3) year period; and

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

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92.010 of the Code of the City of Elizabeth have been complied with by **SCIBAL ASSOCIATES, INC.**; and

WHEREAS, , the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00857, charging the amount of $190,000.000 to Account No. 2-02-23-210-INS, of the Municipal Budget is on file in the Office of the City Clerk; 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 provisions of **N.J.S.A.** 40A:11-15 authorize the award of multi-year contracts, subject to the availability and appropriation annually of sufficient funds as may be required to meet the extended obligation, or to an annual cancellation option; 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 execute a contract with **SCIBAL ASSOCIATES, INC., (Formerly Qual Care, Inc.), 30 Knightsbridge Road, Piscataway, N.J. 08855**, to provide for the Administration of the City's Third Party Administration of the Workers' Compensation & Auto Liability/Property Program for a period of three (3) years. The period of the contract will commence August 1, 2011 through July 31, 2014 in the amount of $190,000.00 per year for a total contract cost of $570,000.00 covering the three (3) year period.
2. This service is a specialized service inasmuch as **Scibal Associates, Inc.** has extensive experience in dealing with problems of municipal insurance coverage and is recognized by many municipalities, townships, and boards of education to possess unique specialization qualities which will be of utmost benefit to this City and its taxpayers for the purchase of its contractual obligations.
3. This cannot be described by written specifications because of the unique nature of services to be rendered as more fully explained in paragraph (2) two above
4. A notice of this action shall be published in **The Star Ledger.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **STORR TRACTOR COMPANY, 3191 Route 22, Branchburg, New Jersey 08876,** per the request of the Director of Public Works for the purchase of Ground Equipment for various departments at a cost not to exceed $100,000.00 under the Middlesex Regional Educational Services Commission contract #65MCESCCPS for the period of July 22, 2011 through July 31, 2012; 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 **STORR TRACTOR COMPANY, 3191 Route 22, Branchburg, New Jersey 08876,** per the request of the Director of Public Works for the purchase of Ground Equipment for various departments at a cost not to exceed $100,000.00 under the Middlesex Regional Educational Services Commission contract #65MCESCCPS for the period of July 22, 2011 through July 31, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and Purchasing Agent per the request of the Director of the Department of Public Works have recommended the award of a contract to **AAM MOTOR SALES, DBA JERSEY CITY FORD, 315 Clendenny Ave at Route 440, Jersey City, New Jersey 07304,** for the purchase of Miscellaneous Automotive Parts for all departments for the period of August 1, 2011 to August 1, 2012 at a cost not to exceed $10,000.00 under State Contract #79168; 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,

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 #79168, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **AAM MOTOR SALES, DBA JERSEY CITY FORD, 315 Clendenny Ave at Route 440, Jersey City, New Jersey 07304,** for the purchase of Miscellaneous Automotive Parts for all departments for the period of August 1, 2011 to August 1, 2012 at a cost not to exceed $10,000.00 under State Contract #79168.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **MOTOROLA COMMUNICATIONS & ELECTRONICS, INC., P. O. BOX 305, BORDENTOWN, NEW JERSEY 08505-0305,** for the purchase of Communications Equipment and Accessories for various departments for the period of August 1, 2011 through January 31, 2012 at a cost not to exceed $400,000.00 under their State Contract #53804; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #53804, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it ,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **MOTOROLA COMMUNICATIONS & ELECTRONICS, INC., P. O. BOX 305, BORDENTOWN, NEW JERSEY 08505-0305,** for the purchase of Communications Equipment and Accessories for various departments for the period of August 1, 2011 through January 31, 2012 at a cost not to exceed $400,000.00 under their State Contract #53804

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to **NATIONAL FUEL OIL, INC., 175 Orange Street, Newark, New Jersey 07103,** for the purchase of Gasoline for the Public Works Marina for the period of August 1, 2011 through October 31, 2011 at a cost not to exceed $75,000.00 under their State Contract #65042; and

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

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

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

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **NATIONAL FUEL OIL, INC., 175 Orange Street, Newark, New Jersey 07103,** for the purchase of Gasoline for the Public Works Marina for the period of August 1, 2011 through October 31, 2011 at a cost not to exceed $75,000.00 under their State Contract #65042.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to enter into and execute a Shared Services Agreement for Printing and Signage Services by and between the City of Elizabeth, New Jersey and the County of Union, New Jersey; and

WHEREAS, the County of Union has contracted with Xerox Capital Services, LLC for a five (5) year period commenced on August 31, 2007 and ending August 30, 2012, to provide professional document management and daily operation services, including the procurement of equipment and labor, to operate the County of Union's Print Shop; and

WHEREAS, the Union County desires to extend the Print Shop and Sign Shop services to all municipalities within the County of Union as a "shared service" pursuant to **N.J.S.A**. 40A:65-4; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into and execute a Shared Services Agreement for Printing and Signage Services by and between the City of Elizabeth, New Jersey and the County of Union, New Jersey.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, Councilman Manuel Grova and the Second Assistant City Attorney have requested that the City of Elizabeth enter into an Access Agreement with **Consolidated Rail Corporation (CONRAIL), 1717 Arch Street, Philadelphia, PA 19103**, for a Temporary License Permitting Entry on CONRAIL property for the purpose of entering its Right-of-Way known as Chemical Coast Secondary for the purpose of painting the sound barriers on the New Jersey Turnpike wall between First and Third Avenue on Glen Zamorski Drive; and

WHEREAS, the proposed work will require a CONRAIL flagman and the City will indemnify CONRAIL from liability; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into an Access Agreement with **Consolidated Rail Corporation (CONRAIL), 1717 Arch Street, Philadelphia, PA 19103**, for the Temporary License Permitting Entry on CONRAIL for the purpose of entering its Right-of -Way, known as Chemical Coast Secondary for the painting of the sound barriers on the wall of the New Jersey Turnpike, between First and Third Avenue, on Glen Zamorski Drive.

Councilman Grova stated he has been trying to get this project done for many years and would appreciate Council's support.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for the services of a Pediatric Physician for the Elizabeth Department of Health and Human Services; and

WHEREAS, the Director of the Department of Health and Human Services has recommended that a contract be awarded to **Pedro Beckford, MD, 39 Third Street, Elizabeth, New Jersey 07208** to provide Pediatric Physician Services at a rate of $100.00 per hour not to exceed $40,000.00 for the period July 1, 2011 through June 30, 2012, unless further authorized by the City Council of the City of Elizabeth; and

WHEREAS, this contract is awarded pursuant to **N.J.S.A**. 19:44A-20.5, et seq. This contract was solicited and is being awarded pursuant to a fair and open process. The proposal submitted by Dr. Beckford is on file in the Office of Health and Human Services; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00681, charging the amount of $40,000.00 to Account No. 2-01-27-330-HEA-325, 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:11-5(1)(a) et seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the services are being performed by a physician operating under Medical License of the State of New Jersey; now, therefore, be it

RESOLVED by City Council of Elizabeth as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **Pedro Beckford, MD 39 Third Street, Elizabeth, New Jersey 07208** to provide Pediatric Physician Services at a rate of $100.00 per hour not to exceed $40,000.00 for the period July 1, 2011 through June 30, 2012, unless further authorized by the City Council of the City of Elizabeth.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with **N.J.S.A.** 40A:11-5(1) (a) of the Local Public Contracts Law because these services are being performed by a physician operating under Medical License State of New Jersey.

3. Also, the performance of these services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for the services of a Pediatric Physician to provide Sexually Transmitted Disease Services for the Elizabeth Department of Health and Human Services; and

WHEREAS, the Director of the Department of Health and Human Services has recommended that a contract be awarded to **Stephen J. Hricko, MD, 227 Edgewood Road, Linden, New Jersey 07036-3707** to provide Pediatric /Sexually Transmitted Disease Services for the contract period July 1, 2011 through June 30, 2012 at a rate of $100.00 per hour for a cost not to exceed $40,000.00 unless further authorized by the City Council of the City of Elizabeth; and

WHEREAS, pursuant to **N.J.S.A.** 19:44A-20.5, et seq., this contract was solicited and is being awarded pursuant to a fair and open process. The proposal submitted by Dr. Hreicko is on file in the office the Department of Health and Human Services; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00680, charging the amount of $40,000.00 to Account No. 2-01-27-330-HEA-325, 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:11-5(1)(a) et seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the services are being performed by a physician operating under a Medical License of the State of New Jersey; now, therefore, be it

RESOLVED by City Council of Elizabeth as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **Stephen J. Hricko, MD, 227 Edgewood Road, Linden, New Jersey 07036-3707** to provide Pediatric/Sexually Transmitted Disease Services for the contract period July 1, 2011 through June 30, 2012 at a rate of $100.00 per hour for a cost not to exceed $40,000.00 unless further authorized by the City Council of the City of Elizabeth

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with **N.J.S.A.** 40A:11-5(1) (a) of the Local Public Contracts Law because these services are being performed by a physician operating under Medical License of the State of New Jersey.

3. Also, the performance of these services requires knowledge of an advanced type in a \field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for the services of a Physician Services/Sexually Transmitted Disease Services for the Elizabeth Department of Health and Human Services; and

WHEREAS, the Director of the Department of Health and Human Services has recommended that a contract be awarded to **Francisco A. Saavedra, MD, 605 Irvington Avenue, Hillside, New Jersey 07205** to provide Physician Services/Sexually Transmitted Disease Services for the period July 1, 2011 through June 30, 2012, at a rate of $200.00 per hour not to exceed $60,000.00 unless further authorized by the City Council of the City of Elizabeth; and

WHEREAS, this contract is awarded pursuant to **N.J.S.A.** 19:44A-20.5, et seq. This contract was solicited and is being awarded pursuant to a fair and open process. The proposal submitted by Dr. Saavedra is on file in the Office of Health and Human Services; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00661, charging the amount of $60,000.00 to Account No. 2-01-27-330-HEA-325, 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:11-5(1)(a) et seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the services are being performed by a physician operating under Medical License of the State of New Jersey; now, therefore, be it

RESOLVED by City Council of Elizabeth as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **Francisco A. Saavedra, MD, 605 Irvington Avenue, Hillside, New Jersey 07205,** to provide Physician Services/Sexually Transmitted Disease Services for the period July 1, 2011 through June 30, 2012 at a rate of $200.00 per hour not to exceed $60,000.00, unless further authorized by the City Council of the City of Elizabeth.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with **N.J.S.A.** 40A:11-5(1) (a) of the Local Public Contracts Law because these services are being performed by a physician operating under Medical License State of New Jersey.

3. Also, the performance of these services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested authorization to award a contract to **Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, New Jersey 07208,** for the performance of Health Educator Services for the period of July 1, 2011 through June 30, 2012. The total cost of services for the year is not to exceed $10,395.00 at a rate of $70.00 per hour without further authorization by your City Council; and

WHEREAS, pursuant to **N.J.S.A.** 19:44A-20.5 et seq., this contract was solicited and is being awarded pursuant to a fair and open process. The proposal submitted by Visiting Nurse and Health Services is on file with the Office of Health and Human Services; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00855, charging the amount of $10,395.00 to Account No. 2-01-27-330-HEA-325 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, New Jersey 07208,** for the performance of Health Educator Services for the period of July 1, 2011 through June 30, 2012. The total cost of services for the year is not to exceed $10,395.00 at a rate of $70.00 per hour without further authorization by your City Council.

Which was adopted by the following vote:

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

NEGATIVE: None

57

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested authorization to award a contract to **Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, New Jersey 07208,** for the performance of Senior Health Promotion/Risk Reduction Services for the period July 1, 2011 through June 30, 2012 at a rate of $80.00 per hour for the total cost not to exceed $11,520.00 without further authorization by of City Council; and

WHEREAS, pursuant to **N.J.S.A.** 19:44A-20.5 et seq., this contract was solicited and is being awarded pursuant to a fair and open process. The proposal submitted by Visiting Nurse and Health Services is on file with the Office of Health and Human Services; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00856, charging the amount of $11,520.00 to Account No. 2-01-27-330-HEA-325 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, New Jersey 07208,** for the performance of Senior Health Promotion/Risk Reduction Services for the period July 1, 2011 through June 30, 2012 at a rate of $80.00 per hour for the total cost not to exceed $11,520.00 without further authorization by of City Council.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

WHEREAS, the City of Elizabeth, through its Department of Health and Human Services, is desirous of providing these nursing services for seven (7) non-public schools in the City of Elizabeth for the period September 1, 2011 through June 30, 2012; and

WHEREAS, the City of Elizabeth will receive $119,533.00 to provide these services to seven (7) non-public schools with an enrollment of 1,320 pupils; and

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

RESOLVED by City Council of the City of Elizabeth that the Mayor and City Clerk are hereby authorized to execute an agreement with the Board of Education of the City of Elizabeth to provide nursing services for seven (7) non-public schools through public school districts in the amount of $119,533.00 for the period September 1, 2011 through June 30, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

[redacted]

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 11, 2011 the Department of Public Works received qualification proposals for architectural and construction management services in connection with the design, bidding and construction of the Midtown Train Station Streetscape on a portion of Julian Place, Union Street and West Grand Street at a cost not to exceed $78,020.00. 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 qualifications of all respondents were reviewed and the Department of Public Works has recommended the award of a contract to **MUSIAL GROUP, PA, 191 Mill Lane, Mountainside, New Jersey 07092,** as per their proposal dated July 28, 2011. This project will build upon and extend the streetscape currently under construction on Broad Street; and

WHEREAS, this project has received a grant in the amount of $300,000.00 from the New Jersey Transit Village Program Administered through the New Jersey Department of Transportation; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.12-00863 charging the amount of $78,020.00 to Account No. X-04-55-999-X33-001 of the Municipal Budget is on file in the office of 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; now, therefore, be it

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement with to **MUSIAL GROUP, PA, 191 Mill Lane, Mountainside, New Jersey 07092,** for architectural and construction management services in connection with the design, bidding and construction of the Midtown Train Station Streetscape on a portion of Julian Place, Union Street and West Grand Street as per their proposal dated July 28, 2011 at a cost not to exceed $78,020.00. This project will build upon and extend the streetscape currently under construction on Broad Street.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with **N.J.S.A.** 40A:11-5(1)(a) of the Local Public Contracts Law because these services are being performed by **THE MUSIAL GROUP, P.A.** Also, the performance of these services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to execute the necessary documents to enter into an Intergovernmental Agreement with the County of Union for the purpose of installing and maintaining fiber technology to be used to create a fiber ring, for the ability to transmit information throughout major governmental facilities at the county and municipal levels, for the creation of virtual private networks, and for security cameras; and

WHEREAS, the City of Elizabeth will reimburse the County of Union for the installation of fiber strands on the City's behalf in an amount not to exceed $250,000.00, for and use and maintenance charges in an amount not to exceed $8,100.00 quarterly with a 6% increase per year. The current fiber ring connects various municipal building and security cameras through out the City. Additional maintenance charges will be determined for any future fiber installed at a rate consistent with the current prorated maintenance charge; and

WHEREAS, this Agreement will be for a five (5) year period beginning on January 1, 2012 through December 31, 2016, with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-01417, charging the amount of $250,000.00 to Account No. G-01-41-800-10, (installation cost) and Certification No. 12-01418, charging the amount of $32,400.00 to Account No. 2-01-20-140-DPR-307 (for use and maintenance) of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the provisions of Chapter 2.92 shall not apply to all contracts entered into with the United States of America, State of New Jersey, County or municipality, or any board, body, officer, agency or authority thereof, and any other state or subdivision thereof; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into an Intergovernmental Agreement with the County of Union for the purpose of fiber technology to be used to create a fiber ring, for the ability to transmit information throughout major governmental facilities at the county and municipal levels, for the creation of virtual private networks, and for security cameras. The City of Elizabeth will reimburse the County of Union for the installation of fiber strands on the City's behalf in an amount not to exceed $250,000.00, and for use and maintenance charges not to exceed $8,100.00 quarterly with a 6% increase per year. The current fiber ring connects various municipal building and security

cameras through out the City. Additional maintenance charges will be determined for any future fiber installed at a rate consistent with the current prorated maintenance charge. This Agreement will be for a five (5) year period beginning on January 1, 2012 through December 31, 2016, with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years.

Councilman Grova stated that he has not received a specific answer to his question regarding this fiber ring.

The Attorney responded that they will be connecting to City services and this is a continuation of the previous installation.

Councilman Grova then **MOVED** that the foregoing resolution be **TABLED**. Councilman Grova's MOTION to TABLE the foregoing resolution was seconded by Councilman Gonzalez, and carried by the following vote:

AFFIRMATIVE; Grova, Gonzalez, Cedeno, Gallman - 4

NEGATIVE: Perkins-Auguste, Jackus, President Keenan - 3

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to enter into an Intergovernmental Agreement between the City of Elizabeth and Parking Authority of City of Elizabeth (Parking Authority) for the purpose of installation and maintenance of Security Cameras for One Dollar ($1.00) per year. Cameras and all associated equipment will be purchased by the Parking Authority. In addition, the Parking Authority will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System; and

WHEREAS, this Agreement will be for a five (5) year period from September 1, 2011 to August 31, 2016 with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into an Intergovernmental Agreement between the City of Elizabeth and Parking Authority of City of Elizabeth (Parking Authority) for the purpose of installation and maintenance of Security Cameras for One Dollar ($1.00) per year. Cameras and all associated equipment will be purchased by the Parking Authority. In addition, the Parking Authority will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System for a five (5) year period from September 1, 2011 to August 31, 2016 with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to enter into an Intergovernmental Agreement between the City of Elizabeth the and Housing Authority of the City of Elizabeth (HACE) for the purpose of installation and maintenance of Security Cameras for One ($1.00) Dollar per year. Cameras and all associated equipment will be purchased by HACE. In addition, HACE will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System; and

WHEREAS, this Agreement will be for a five (5) year period from September 1, 2011 to August 31, 2016 with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into an Intergovernmental Agreement between the City of Elizabeth and the Housing Authority of the City of Elizabeth (HACE) for the purpose of installation and maintenance of Security Cameras for One ($1.00) Dollar per year. Cameras and all associated equipment will be purchased by HACE. In addition, HACE will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System. This Agreement will be for a five (5) year period from September 1, 2011 to August 31, 2016 with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for a Dental Insurance Program for employees of the City of Elizabeth; and

WHEREAS, the City of Elizabeth administers a self-insured dental program and its obligation is based on claims processed. The Business Administrator has recommended that an award of contract for a two-year term be made to **Horizon Healthcare Dental Services, 1427 Wyckoff Road, Farmingdale, New Jersey 07727,** in a total amount not to exceed $925,000.00 per year or a total amount not to exceed $1,850,000.00 covering the two-year period July 1, 2011 to June 30, 2013. This total amount incorporates the City's Traditional Plan, Managed Dental Choice, and Total Care option; 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 the City incurs a contractual liability on its part; and

WHEREAS, the Chief Financial Officer will issue a Certificate of Availability of Funds for the second year of the contract prior to commencement thereof and the second year of the contract is explicitly conditioned upon the issuance of same by the Chief Financial Officer; now, therefore, be it

WHEREAS, insurance companies 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 "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, quotations were not solicited for this contract because it was determined that **Horizon Healthcare Dental Services** was the most qualified firm and is presently providing their services to the City of Elizabeth; 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 execute an agreement with **Horizon Healthcare Dental Services, 1427 Wyckoff Road, Farmingdale, NJ 07727,** in a total amount not to exceed $925,000.00 per year or a total amount not to exceed $1,850,000.00 covering the two-year period July 1, 2011 to June 30, 2013. This total amount incorporates the City's Traditional Plan, Managed Dental Choice, and Total Care option.

2. Quotations were not solicited for this contract because it was determined that Horizon Healthcare Dental Services was the most qualified firm and is presently providing their services to the City of Elizabeth. The recommendation to award the contract to Horizon Healthcare Dental Services Incorporates the City's Traditional; Plan, Managed Dental Choice and Total Care option.

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

4. This cannot be described by written specifications because of the special nature of insurance coverage and as specifically exempted from the bidding requirements of **N.J.S.A.** 40A:11-5(1)(m).

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Attorney has advised that on July 27, 2010 your Honorable Body adopted a resolution awarding a contract to **Raymond S. Londa , Esq. of Londa & Londa, Esqs., 277 North Broad Street, Elizabeth, New Jersey 07208** to provide professional services for the City of Elizabeth effective July 1, 2010 through June 30, 2011 at an hourly rate of $175.00 plus disbursement with a cap of $65,000.00; and

WHEREAS, as of June 30, 2011, Mr. Londa has provided professional services accordingly and has submitted invoices in the amount of $65,000.00, $712.50 (attorney fees in excess of the cap) and $1,594.48 (Out-of-Pocket expenses) for a total amount of $67,306.98 this amount surpasses the cap by $2,306.98; and

WHEREAS, the City Attorney has requested an increase in the cap by an additional $2,306.98; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.12-01321, charging the amount of $ 2,306.98 to Account No. 12-01-20-155-LAW-302, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the amendment to the resolution adopted July 27, 2010, authorizing the award of a contract to **Raymond S. Londa , Esq. of Londa & Londa, Esqs., 277 North Broad Street, Elizabeth, New Jersey 07208** to provide professional services for the City of Elizabeth effective July 1, 2010 through June 30, 2011 at an hourly rate of $175.00 plus disbursement with a cap of $65,000 to increase said contract cap by $712.50 (attorney fees in excess of the cap) and $1,594.48 (Out-of-Pocket expenses) for a total amount of $67,306.98 this amount surpasses the cap by $2,306.98.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to amend the resolution adopted August 24, 2010, which authorized a Rental Housing Program Deferred Payment Loan to New Jersey Community Development Group, LLC in the amount of $350,000.00 for the acquisition and rehabilitation of a fourteen (14) unit property located at 1008-1014 ½ Emma Street; and

WHEREAS, the resolution adopted August 24, 2010 is to be amended as follows:

- Change the address from 1008-1014 ½ Emma Street to 1006-1014 Emma Street;
- Increase the loan amount by $35,000.00 (from $350,000.00 to $385,000.00) to enable the developer to utilize the City's HOME Program Green Construction Supplement and Incorporate green materials and design features into this project; and

and;

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification No. 12-01052 charging the amount of $35,000.00 to Account Number 1-14-56-813 of the Municipal Budget and is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials amend the resolution adopted August 24, 2010, which authorized a Rental Housing Deferred Payment Loan to New Jersey Community Development Group, LLC , for the acquisition and rehabilitation of a fourteen (14) unit building located at 1008-1014 ½ Emma Street, specifically to change the address to 1006-1014 Emma Street and to increase the loan amount by $35,000.00, raising the loan amount to $385,000.00 to utilize the City's HOME Program Green Construction Supplement and incorporate green materials and design features into this project.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on January 12, 2010 your Honorable Body adopted a resolution authorizing the City of Elizabeth to award a contract in the amount of $30,000.00 to **KUPPER, LLC, 1200 Lenox Drive, Suite 101, Trenton, New Jersey 08648,** to provide professional engineering services in relation to the establishment of sewer user charges for residential, commercial and industrial customers for sewer services based on volume of waste, total suspended solids (TSS) greater than 180 mg/l and or biochemical oxygen demand (BOD) greater than 210 mg/l; and

WHEREAS, the scope of work included the review of wastewater invoices prepared by Liberty Water for Michael Foods, Inc., and Papetti's Hygrade Egg Products which are currently being disputed by those two industries, examining the City code, review of Joint Meeting annual reports, meetings with city Officials and Liberty Water, participation in settlement discussions and serving as an expert witness; and

WHEREAS, at the time the original contract was awarded to **KUPPER, LLC,** it was hoped that we could quickly resolve the matter through negotiation. That has not been the case. The amount of records involved has been voluminous. Discovery is nearing completion and the City is in the midst of settlement discussions. The funds allocated in the original contract have been expended; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00864, charging the amount of $25,000.00 to Account No.2-07-55-500-SEW-302, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes Change Order No. 1 as set forth hereinabove to the contract with **KUPPER, LLC., 1200 Lenox Drive, Suite 101, Trenton, New Jersey 08648,** for professional engineering services in connection with sewer rates and assessments in the amount of $30,000.00, specifically to increase said contract an $25,000.00, for the total contract amount of $55,000.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of Public Works has advised that on October 13, 2009 your Honorable Body adopted a resolution awarding a contract to **MONTANA CONSTRUCTION CORPORATION, 80 Contant Avenue, Lodi, New Jersey 07644,** for the Verona Avenue/Gebhardt Avenue Storm Sewer Improvement Project in the amount of $5,823,050.00; and

WHEREAS, on June 22, 2010 your Honorable Body adopted a resolution authorizing Change Order No. 1 in the amount of $186,441.90; and

WHEREAS, Hatch Mott MacDonald, the Project Engineer for the project, has submitted to the City of Elizabeth on behalf of Montana Construction Corporation, Change Order No. 2 – final in the amount of $464,637.40. The Work for items included in this change order is as follows:

- Item 1 – Work Stoppage Delay
- Item 2 – DCA Work Stoppage Delay
- Item 3- Required PSE&G Field Modifications
- Item 4 – Relocation of Stockpiled Materials
- Item 5 – Additional Security Fence and Outlet Control Structure Grate
- Item 6 – Lower Outlet Control Structure
- Item 7 – Unforeseen Concrete Roadway Base Course
- Item 8 – Additional Rock Excavation
- Item 9- Sanitary Sewer Point Repairs
- Item 10 – Disposal of Surplus RCA Material
- Item 11 – Slate Curb Replacement
- Item 12 – New 20-foot Wide Swing Gate
- Item 13 – Widen Kean University Fire Lane and Install Bollards
- Item 14 – Fire Access Road Easement Drainage Piping and Swale
- Item 15 – Belgian Block Curb and Concrete Sidewalk, Apron and Ramp Replacement on Verona Ave.
- Item 16 – Additional Curb and Sidewalk Spot Replacement
- Item 17 – Final Sale Inspection Additional Work
- Item 18 – Repair of Sewer Lateral at 826 Floral Avenue
- Item 19 – Reimbursement for Payment of Pumping Station Telephone Bill.
- Item 20 – Locate and Connect buried HDPE conduit; and

WHEREAS, the New Jersey Environmental Infrastructure Trust (State Project Number S340942-09) has provided to the City of Elizabeth a loan for this project in the amount of $8,053,300.00. Portions of the costs for this change order will be eligible for fifty percent (50%) principal forgiveness under the American Recovery and Reinvestment Act and the NJEIT loan agreement; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00865, charging the amount of $464,637.40 to Account No. X-08-55-037-034, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the that the City Council of the City of Elizabeth authorizes Change Order No. 2 as set forth hereinabove to the contract with **MONTANA CONSTRUCTION CORPORATION, 80 Contant Avenue, Lodi, New Jersey 07644**, for the Verona Avenue/Gebhardt Avenue Storm Sewer Improvement Project in the amount of $464,637.40, as listed in the aforementioned bulleted Work Items: Item 1 – Item 20, for a final contract amount of $6,474,129.30.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal for he Customer Service Skills Training Initiative Program – Phase 4 in the $297,900.00 in Zone Assistance Funds; and

WHEREAS, these funds will be used to provide continual funding for one UEZ employment and training position as well as provide classroom training and job placement opportunities for Elizabeth residents; and

WHEREAS, this program initiative will be administered through our Retail Skills Center located within the Jersey Gardens Mall in Elizabeth. This contract shall cover the period from August 23, 2011 through August 31, 2012; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority for the Customer Service Skills Training Initiative Program – Phase 4 in the $297,900.00 in Zone Assistance Funds to implement Phase 4 of the Customer Service Skills Training Initiative Program for the period August 23, 2011 through August 31, 2012; and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, this Municipality is authorized to dispose of surplus personal property in the possession of the Elizabeth Police Department P.L. 2001,C.30 by sale at public auction in accordance with the provisions of **N.J.S.A.**40A:14-157; and

WHEREAS, certain impounded tangible property has come into the possession of the Elizabeth Police Department, which includes but is not limited to electronics, home goods, clothing, jewelry, shoes and power tools; and

WHEREAS, the said property has been in the possession of the Elizabeth Police Department for more than six months; and

WHEREAS, the surplus personal property are no longer needed for public use; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9; and

WHEREAS, the auction will conform to all State and Municipal regulations and can be disposed of in accordance with **N.J.S.A**. 40-157 and P.L.2001, c.30. **The auction is being requested to be held by Property Room.com, State preapproved on-line auction site.** The date of the sale will be set by the auction company and will be published in the "Newark Star Ledger"; and

WHEREAS, the terms of the agreement entered into with Property Room.com are available on its website and are available in the Office of the Purchasing Agent; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby authorizes the sale of the impounded tangible surplus personal property in possession of the Elizabeth Police Department set forth hereinabove by **PropertyRoom.com** State preapproved online auction site; and be it

FURTHER RESOLVED that viewing of the surplus personal property may be reviewed on the web-site of **Property Room.com**, State pre-approved on-line auction site; and be it

FURTHER RESOLVED that the net proceeds from the within sale shall be paid into the general municipal treasury of the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS WHOLE:

WHEREAS, Arancio, Rosaria was disallowed senior citizen deduction in the amount of $250.00 for the Tax Year 2010 for property located at 513 Westfield Avenue., Block 13 Lot 1611 as a result of erroneously filing a Post Tax Year Statement indicating that her income exceeded $10,000.00.

WHEREAS, the above mentioned senior citizen has now correctly filed their Annual Post-Tax Year Statement for the Tax Year 2010;and

WHEREAS, there remains on the tax records of the City of Elizabeth the sum of $250.00 as stated above; now, therefore, be it

RESOLVED, that the Tax Collector is hereby authorized to cancel the said disallowed senior citizen deductions in the amount of $250.00 for the Tax Year 2010.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS WHOLE:

WHEREAS, various senior citizens were disallowed senior citizen deductions in the amount of $250.00 for the Tax Year 2010 as a result of failure to file a Post-Tax Year Statement as set forth below:

Block & Lot	Owner	Property Description	Amount
04-0273 D	Parra, Mariella	607 A Britton Street	250.00
04-0844	Maldonado, Emma Z.	456 Lidgerwood Avenue	250.00
11-0555	Mizel, M & J	930-2 Kilysyth Road	250.00
			$ 750.00

WHEREAS, the above mentioned senior citizens are deceased and the necessary filing of the Post-Tax Year Statement is not required; and

WHEREAS, there remains on the tax records of the City of Elizabeth the sum of $750.00 as stated above; now, therefore, be it

RESOLVED, that the Tax Collector is hereby authorized to cancel the said disallowed senior citizen deductions in the amount of $750.00 for the Tax Year 2010.

Which was adopted by the following vote:

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

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 **106 Court Street, Elizabeth, New Jersey, 07201, Block 2, Lot 112 and 160-166 First Street, Elizabeth, New Jersey, 07201, Block 2, Lot 371,** meet one or more of the criteria hereinabove mentioned; and

WHEREAS, the Bureau of Construction has caused to be demolished the said structure located at **106 Court Street, Elizabeth, New Jersey, 07201, Block 2, Lot 112 and 160-166 First Street, Elizabeth, New Jersey, 07201, Block 2, Lot 371,** after due and proper notice to the owner thereof, as required, and the owner thereof having been notified of the cost to the City 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 as follows: $20,000.00 for 106 Court Street, and $5,500.00 for 160-166 First Street; 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 **106 Court Street, Elizabeth, New Jersey, 07201, Block 2, Lot 112 and 160-166 First Street, Elizabeth, New Jersey, 07201, Block 2, Lot 371,** is hereby established as a lien upon106 Court Street in the amount of $20,000.00 and 160-166 First Street in the amount of $5,500.00, 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, [redacted], Jackus, [redacted], Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - 6

NEGATIVE: None

EXCUSED: GROVA — 1

BY CITY COUNCIL AS A WHOLE:

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

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

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

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

Certificate Invoice 7/08/2011 Total Amount: $12,464.77.

Which was adopted by the following vote:

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

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 **21 South Second Street, Elizabeth, New Jersey 07201,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of South Second Street
beginning at a point 137' North of Merritt Avenue
and 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, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - 7

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 920 Adams Avenue, Elizabeth, New Jersey 07201,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of Adams Avenue
beginning at a point 275' North of Fanny 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, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - [redacted] 7

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 **27 Lyons Place, Elizabeth, New Jersey 07202,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Lyons Place

beginning at a point 256' South of Murray Street

and continuing 22' South 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, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - [redacted] 7

NEGATIVE: None

82

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **621 First Street, 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 83' East of John 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, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, [redacted], and President Keenan - 7

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 **32 Cedar Avenue, Elizabeth, New Jersey 07202,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Cedar Avenue

beginning at a point 179' North of South Elmora Avenue

and 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, [redacted], Jackus, Grova, Gonzalez, Cedeno, Gallman, [redacted] and President Keenan - 7

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 **746 Jackson Avenue; 419 Franklin Street; and 123 Acme Street, Elizabeth, New Jersey** in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, a case is currently pending in the Worker's Compensation Court under **Claim Petition No. 2007-19466** entitled **Thomas Traina v. City of Elizabeth v.**; and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq., recommend that **C.P. No. 2007-19466** be settled for 7 ½% of partial total for the petitioner's smoking for a net settlement of 10% of partial total or $12,092.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00861 charging the amount of $12,092.00 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 $12,092.00 as set forth above and payable to **Thomas Traina, One Mermaid Road, Toms River, New Jersey 08753 and Attorney for the Plaintiff: Law Office of Alice Beirne, 99 Northfield Avenue, Suite B-2, West Orange, New Jersey 07052.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that Senator Frank R. Lautenberg has submitted the resolution attached hereto and made a part hereof from the Senate of the United States expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the adoption of the resolution that Senator Frank R. Lautenberg has submitted which is attached hereto and made a part here of from the Senate of the United States expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the **Morris Avenue Midtown Business Association, P. O. Box 443, Elizabeth, New Jersey** has requested permission to conduct their ninth annual Colombian Independence Day Street Festival on Sunday, July 29, 2012 (rain dates August 5 or August 12) between Westfield Avenue and Morris Avenue from 12:00 noon to 9:00 p.m.; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby grants permission for the **Morris Avenue Midtown Business Association, P. O. Box 443, Elizabeth, New Jersey** to conduct their ninth annual Colombian Independence Day Street Festival on Sunday, July 29, 2012 on (rain dates August 5 or August 12) between Westfield Avenue and Morris Avenue from 12:00 noon to 9:00 p.m provided that they comply with all provisions contained in Chapter 12.56 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE: [redacted]

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

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

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

AVAYA, INC.	1-01-31-440	$	5,628.49
HESS CORP.	1-01-31-435	$	29,881.83
LANGUGE LINE SERVICES	1-01-43-490-MCO-302	$	1,350.01
NATIONAL FUEL OIL, INC.	1-01-31-460	$	7,722.00
NATIONAL TERMINAL, INC.	1-01-31-460	$	6,807.90
NEXTEL COMMUNICATIONS	1-01-31-440	$	2,468.33
PSE&G	1-01-31-435	$	13,531.12
USA MOBILITY	2-01-31-440	$	270.70
VERIZON	2-01-31-440	$	6,738.55
VERIZON CABS	2-01-31-440	$	190.80
VERIZON WIRELESS	1-01-31-440	$	347.67
VERIZON COMMUNICATIONS, INC.	2-01-31-440	$	676.48

Which was adopted by the following vote:

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

NEGATIVE: None

A[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
Immaculate Conception			5262	8/25/11
St. Mary's Rosary Confraternity		1327		8/25/11
St. Mary's Assumption Church		1328		8/25/11

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to commend Dr. Manuel de Jesus Perez, Mayor General ® Policia Nacional, of the Dominican Republic, for his dedicated and devoted service in Education, Law and Public Safety; and

WHEREAS, Mayor General Sanchez has a Doctor in Law, Cum Laude from Universidad Autonoma de Santo Domingo; Notary Public, French language certificate from the Alliance Francaise language certificate from the Alliance Francaise; and

WHEREAS, Mayor General Sanchez studied National Development and Political War in Taiwan, Human Dignity in New York and Miami, Strategic Planning in Costa Rica, International Migration in Panama, Evaluation of Leaning at Unversidad Catolica de Santo Domingo (USCD), Academic Objectives at Pontificia Universidad Catolica Madre y Maestra (PUCMM);and

WHEREAS, Mayor General Sanchez studied other subject as, Labor Law, Notarial Updating; Tourism; Tourism Legislation; Victimology, Counterterrorism, Criminology, Fraudulent Documents, International Refugee Law, Transit, Aeronautical and Space Law, Intrafamily Violence, Police Management; and

WHEREAS, Mayor General Sanchez has visited for educative purposes the headquarters of the United Nations in Geneva and many colleges, universities, and police headquarters throughout the world; and

WHEREAS, Mayor General Sanchez has participated in several short trainings in Defense, National Security and Criminal Procedure Code, among others; and

WHEREAS, Mayor General Sanchez has acted as a Judge, First Instance Court of Police Justice, Appellate Court of Police Justice and as a professor has taught General Criminal Law, Special Criminal Law, Procedure Criminal Law and Criminology; and

WHEREAS, Mayor General Sanchez has participated in the creation of several books and has given several brilliant conferences in different settings, national and international, related to police subjects, children prevention, human dignity, judicial reformation, and prisons, among others; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth commends Dr. Manuel de Jesus Perez Sanchez, Mayor General ® Policia Nacional, Dominican Republic for his dedication and devotion as an educator and his service in Law and Public Safety. The City Council 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 Dr. Manuel de Jesus Perez Sanchez.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that Matthew Borrello, a senior at St. Mary's of the Assumption High School has recently won a scholarship to attend Space Camp in Huntsville, Alabama; and

WHEREAS, Matthew is the son of Alfonso and Mary Borello, the grandson of the late Alfonso Borello, Sr,, and grandmothers, Ida Borello and Dolores Rachart, and the brother to two sisters, Melissa and Jessica Borello; and

WHEREAS, Matthew Borrello won a scholarship and airfare from the Archdiocese of Newark to attend Space Camp at the U.S.Space and Rocket Center in Huntsville, Alabama; and

WHEREAS, while at the U. S. Space and Rocket Center, Matthew learned all about being an astronaut. He was voted shuttle captain, he was successful in operating his shuttle safely and perfectly. He graduated from Space Camp August 12, 2011; and

WHEREAS, while attending St. Mary of the Assumption High School he has applied himself to his academic studies which have set a solid foundation for Matthew. He is the newly elected Student Council President for 2011-2012. He has maintained a grade average of 90 for his Freshman and Sophomore Years. He has been the recipient of many awards; in his freshman year, he won the Biology Award, in the Sophomore Year he won the Chemistry Award and in the Junior year he won the Physics Award; and

WHEREAS, Matthew is an altar server at St. Mary's of the Assumption School. He is a dedicated coach with the Special Olympics. He also is on the debate team and Chess Club. He enjoys bowling with an 180 average; and .

WHEREAS, the City Council of the City of Elizabeth, the faculty of St. Mary's, his family and friends are proud of Matthew Borrello for his receiving a scholarship to attend Space Camp in Huntsville, Alabama and for graduating from the Space Camp on August 12, 2011 and for his achievements at St. Mary's the Assumption High School; now, therefore, be it

RESOLVED that the City Council of Elizabeth hereby extends its congratulations to Matthew Borrello on receiving a scholarship to attend Space Camp in Huntsville, Alabama and wishes him every success in his future endeavors.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Teresa Minniti; and

WHEREAS, Teresa Minniti was the loving mother of Tito, Angelo, and Antonetta; caring sister of Tony, Joe and Charlie Muia and cherished grandmother of Michael, Lianna, Michael and Joey; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Teresa Minniti 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.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Jagdish Chadra Das, 74; and

WHEREAS, Mr. Das is survived by his wife, Assunta (nee Nufrio); daughters, Alita Das, Esq., (Eugene Thomas) and Dr. Liana Das (Dr. Mark Very); grandchildren Michael Thomas, Maya and Ryan Very, and many loving family members here in the United States and in India; and

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Jagdish Chandra Das 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 the City Council and a certified copy be sent to his family.

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

Councilman Grova moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Keenan declared City Council adjourned at

8:20 p.m.

APPROVED

JOSEPH KEENAN
President of City Council

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