PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
February 26, 2013
7:30 p.m.

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

Council President William Gallman, Jr., 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 27, 2012.

PRESENT: Council Members-at-Large: Patricia Perkins-Auguste, Frank J. Cuesta, Manny Grova, Jr.
Council Members: Carlos L. Torres, 1st Ward; Nelson Gonzalez, 2nd Ward; Joseph Keenan, 3rd Ward; Carlos Cedeno, 4th Ward; Frank O. Mazza, 6th Ward; and President William Gallman, Jr., 5th Ward - 9

ABSENT:

ALSO PRESENT: William R. Holzapfel, City Attorney

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

PUBLIC SPEAKING

Mr. George Katigaritis, Elmora Avenue, spoke to his family being the previous owners of the 640 Club. He continued that the building was demolished six years ago. He requested to have the "640 Club" declared historical.

Ms. Debra Smith, Paterson resident, stated that on August 12, 2012, it was decided to close the North Jersey Developmental Center and the Woodbridge Developmental Center. Ms. Smith stated that her daughter has been a resident for twenty-seven years. She continued that her daughter will be moved one hundred miles away from her family. She stated further that her daughter receives excellent care and she has not had a seizure in over ten years.

Ms. Smith stated that everyone that lives in a developmental center cannot survive in a community center. She continued that a survey was conducted in 2009 and ninety-six per cent stated that they wanted their children to live in a developmental center.

Ms. Michele Harvey, Union, stated that she cannot add additional information, but echoed the sentiments of the previous speaker. She stated further that parents made a difficult decision when they put their children in the developmental centers.

Mr. Rex Reed, Trenton, stated that he represents both developmental centeres and the residents. He continued that the residents are citizens that need your help to save their homes. He stated further that the State's plan to move these residents into community homes. Mr. Reed requested Council's support in adopting a resolution in support of keeping these centers open.

Mr. James Carey, Inslee Place, stated this would be a travesty if these centers were to be closed. In closing, he announced that he hopes Council will support them.

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

PUBLIC HEARINGS

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4359** , entitled:

AN ORDINANCE TO ESTABLISH SECTION 10.08.111 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "DO NOT BLOCK INTERSECTION"

This ordinance was adopted on its first reading at the meeting of City Council held on **February 13, 2013.**

The Notice of Public Hearing was published in the Star Ledger issue of **February 19, 2013.**

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

Mr. George Katigaritis, Elmora Avenue, stated that the City of Elizabeth has a ton of signs. He continued that Elizabeth has become "convoluted" with all of these signs and it does not look good.

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

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated February 14, 2013, from the Business Administrator recommending the award of a contract to East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ, for the purchase of lights, sirens, electrical wiring, etc. for three (3) 2013 Ford Police Interceptor SUV vehicles for the Police Department at a total cost of $25,943.10.
Which was received.

By the Clerk:
Letter dated February 14, 2013, from the Business Administrator recommending the award of a contract to Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, DE, for the purchase of one (1) 2013 Chevrolet Impala 4 Door Sedan at a cost of $17,406.00 and five (5) 2013 Dodge Avenger Sedans at a cost of $77,475.00, for a total cost of $94,881.00.
Which was received.

By the Clerk:
Letter dated February 15, 2013, from the Business Administrator recommending the award of a contract to Feldman Lumber Company, 1281 Metropolitan Avenue, Brooklyn, NY, for the purchase of lumber and associated materials for various departments for the period of February 4, 2013 through June 30, 2013, at a cost not to exceed $30,000.00.
Which was received.

By the Clerk:
Letter dated February 15, 2013, from the Business Administrator recommending the award of a contract to Sherwin Williams Company, 101 Prospect Avenue, Cleveland, OH, for paint and related supplies for various departments for the period of February 5, 2013 through July 31, 2014, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated February 15, 2013, from the Business Administrator recommending the award of a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ, for the purchase of three (3) 2013 Ford Police Interceptor SUV Vehicles at a cost of $86,966.25.
Which was received.

By the Clerk:
Letter dated February 15, 2013, from the Business Administrator, being satisfied that an emergency did exist, recommends the award of a contract to Regional Industries, LLC, 800 East Grand Street, Elizabeth, NJ, for the employment of a Tub Grinding Service to remove 12,000 cubic yards of dead trees and tree debris currently stored in limited space on City property in the amount of $81,160.00.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Business Administrator recommending the award of a contract to Eagle Point, 1707 Third Street, Thorofare, NJ, for ammunition for the Police Department for the period of February 4, 2013 to February 28, 2015, at a cost not to exceed $150,000.00.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Business Administrator recommending the award of a contract to Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, NY, for the purchase of 200 Little Leaf Linden Trees to be planted throughout the City in residential areas at a total cost of $31,800.00.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Business Administrator recommending the award of a contract to Storr Tractor Company, 3191 Route 22, Branchburg, NJ, for the purchase of a Toro Infield Pro 3040 in the amount of $18,722.40 and a Toro Groundmaster 328D/30345 in the amount of $29,020.93, for a total cost of $47,743.33.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Business Administrator recommending the award of a contract to Spohnranch, 15131 Clark Avenue, Industry, CA, for the purchase of precast skate park equipment for the Holland Playground at a total cost of $177,448.12.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated February 19, 2013, from the Business Administrator requesting authorization for the proper City officials to enter into an agreement with the County of Union, Department of Human Services, Division of Youth Services, and accept a grant award from the Union County Youth Services Commission Grant Funds to be utilized for the Night Watch Supervision Program under the Juvenile Justice Commission Points of Continuum-Disposition during the contract period of January 1, 2013 through December 31, 2013 in the amount of $11,000.00.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Chief Financial Officer advising that additional grants may be appropriated in the 2013 SFY Budget by budget amendments.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Chief Financial Officer recommending that City Council consider the approval of a refunding bond ordinance in the amount of $1,600,000.00 to refund the 2004 Early Retirement Bonds (ERI) which will capture a cost savings to the tax payers of the City by refinancing existing debt service obligations for the outstanding 2004 ERI bonds.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Chief Financial Officer recommending that your Honorable Body request the Director of the Division of Local Finance to make the following estimated corrections in the 2013 Municipal Budget to account for the City's local share of grants approved subsequent to the adopted budget; Matching Funds - City's Share from $817,414.00 to $785,614.00; Local Share: Greening Union County from -0- to $31,800.00.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Chief Financial Officer advising that a resolution is required by your Honorable Body authorizing to provide for the issuance of Refunding Bonds for the Refunding of a portion of the City's 2005 General Improvement Bonds; and providing for the form, maturities and other details of said bonds; authorizing a preliminary official statement and an official statement providing for the sale of the Refunding Bonds and approving and authorizing the execution and delivery by the City of a Continuing Disclosure Certificate, a Bond Purchase Agreement and an Escrow Deposit Agreement.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Chief Financial Officer requesting that your Honorable Body review the City's Quarterly budget Revenues and Appropriations.
Which was received.

By the Clerk:
Letter dated February 19, 2013, from the Director of Health and Human Services requesting permission to accept a Westinghouse 60 inch –BR 6097 flat screen television to be placed at the O'Donnell Dempsey Senior Center from Councilman Carlos Cedeno.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated February 11, 2013, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ, to provide civil engineering services on a time and materials basis with a cost not to exceed $51,500.00, plus reimbursables, in connection with the update of the All-Hazard Mitigation Plan addressing Natural Hazards.
Which was received.

By the Clerk:
Letter dated February 13, 2013, from the Director of Public Works recommending the award of a contract to Envar Services, Inc., 505 Milltown Road, North Brunswick, NJ, to provide civil engineering design services in connection with the detailed design of the Elizabeth River Trail – Phase 2, at a cost not to exceed $123,600.00, plus reimbursables.
Which was received.

By the Clerk:
Letter dated February 13, 2013, from the Director of Public Works recommending the award of a contract to USA Architects, 20 Doughty Avenue, Somerville, NJ, to provide architectural services for the preparation of conceptual designs for the records retention room to be located on the third floor of the Public Works Maintenance Facility, 400 Atlantic Street, at a cost not to exceed $25,000.00.
Which was received.

By the Clerk:
Letter dated February 14, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A for the boarding up of said properties in the amount of $3,030.65.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter dated February 26, 2013, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, February 22, 2013.
Which was received.

ORDINANCES ON FIRST READING

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4360** , which was seconded by Councilman Gonzalez. entitled:

> AN ORDINANCE TO AMEND CHAPTER 10.36.020 OF THE CODE OF THE CITY OF ELIZABETH, ENTITLED "DESIGNATION OF METER ZONES AND HOURS OF PARKING"

The Clerk read the foregoing ordinance.

Councilman Gonzalez questioned if Council received a final copy of these changes?

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4361** , which was seconded by Councilman Gonzalez, entitled:

> AN ORDINANCE TO AMEND CHAPTER 10.28.030, SCHEDULE I, OF THE CODE OF THE CITY OF ELIZABETH "NO PARKING ALL TIMES ON CERTAIN STREETS".

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that public notice will be published fixing Tuesday, March 12, 2013 , at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct a public hearing and further consider the foregoing Ordinance Nos. 4360 and 4361, adopted on first reading.

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4362** , which was seconded by Councilman Gonzalez , entitled:

REFUNDING BOND ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION ERI REFUNDING BONDS OF THE CITY AND APPROPRIATING AN AMOUNT NOT EXCEEDING $1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $1,600,000 REFUNDING BONDS OF THE CITY OF ELIZABETH FOR FINANCING THE COST THEREOF

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that public notice will be published fixing Tuesday, March 26, 2013 , at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct a public hearing and further consider the foregoing Ordinance No. 4362, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4359** , which was seconded by Councilman Gonzalez.

AN ORDINANCE TO ESTABLISH SECTION 10.08.111 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "DO NOT BLOCK INTERSECTION"

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

SECTION 1. That Section 10.08.111 of The Code of the City of Elizabeth entitled "Do Not Block Intersection" is hereby established.

SECTION 2. The intersection of South Broad Street and Garden Street is established as a Do Not Block Intersection with signs to be erected at the Southeast and Southwest corners of Garden Street and the Northwest corner of South Broad Street

SECTION 3. All ordinances and 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 the 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 **February 13, 2013.**

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 **February 19, 2013.**

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

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

NEGATIVE: None

NEW BUSINESS

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $11,000 for the Union County Night Watch Grant 2013 awarded by the County of Union, New Jersey and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $11,000 which is now available as a revenue from:

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

County of Union, N.J. Union County Night Watch 2013	$11,000

BE IT FURTHER RESOLVED, that a like sum of $11,000 be and the same is hereby appropriated under the caption of :

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

County of Union, N.J. Union County Night Watch 2013 Other Expenses	$11,000

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

Which was adopted by the following vote:

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

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $31,800 for the Greening Union County Grant 2013 awarded by the Open Space Trust Fund, County of Union, New Jersey and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $31,800 which is now available as a revenue from:

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

Open Space Trust Fund, County of Union, N.J.	
Greening Union County Grant 2013	$31,800

BE IT FURTHER RESOLVED, that a like sum of $63,600 be and the same is hereby appropriated under the caption of :

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

Open Space Trust Fund, County of Union, N.J.	
Greening Union County Grant 2013	
Other Expenses	$31,800
Local Share	$31,800

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

Which was adopted by the following vote:

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

NEGATIVE: None

By City Council as a Whole:

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

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-85, that the City Council of the City of Elizabeth hereby requests the Director of the Division of Local Finance to make the following corrections in the 2013 Municipal Budget;

Name of Appropriation	**From**	**To**
Matching Funds-City's Share	$817,414	$785,614
Greening Union County -Local Share	-0-	$31,800

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION OF THE CITY OF ELIZABETH PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS FOR THE REFUNDING OF A PORTION OF THE CITY'S 2005 GENERAL IMPROVEMENT BONDS; AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID BONDS; AUTHORIZING A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; PROVIDING FOR THE SALE OF THE REFUNDING BONDS; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A CONTINUING DISCLOSURE CERTIFICATE, A BOND PURCHASE AGREEMENT AND AN ESCROW DEPOSIT AGREEMENT

WHEREAS, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") authorizes the issuance by the City of Elizabeth, in the County of Union, State of New Jersey (the "City"), of bonds for the purpose of refunding outstanding bonds of the City; and

WHEREAS, in accordance with the Local Bond Law, the City Council did, on February 13, 2013, finally adopt Ordinance No. 4354 (the "Refunding Ordinance") authorizing the issuance by the City of refunding bonds in the amount of not to exceed $12,650,000 for the purpose of refunding certain of the City's outstanding General Improvement Bonds, dated May 24, 2005 (the "Outstanding Bonds"), to provide debt service savings for the City; and

WHEREAS, in accordance with the Local Bond Law, the City desires to (i) authorize and approve the sale and issuance of refunding bonds (the "Bonds" or the "Refunding Bonds") in the aggregate principal amount not to exceed $12,650,000, to be issued for the purpose of refunding the Outstanding Bonds maturing on May 15 in the years 2016 through and including 2030 (the "Refunded Bonds"); and (ii) to provide for the form and sale of the Refunding Bonds; and

WHEREAS, in connection with the sale and issuance of the Refunding Bonds, the City also desires to approve and authorize (i) the distribution of a preliminary official statement (the "Preliminary Official Statement") and the execution and distribution of an official statement (the "Official Statement") and (ii) the forms and the entering into of the hereinafter defined Continuing Disclosure Certificate, Bond Purchase Agreement and Escrow Deposit Agreement; and

WHEREAS, to be able to take advantage of favorable market conditions, the City has determined to authorize a bond purchase agreement (the "Bond Purchase Agreement") with RBC Capital Markets, LLC, as underwriter (the "Underwriter") for the Refunding Bonds, pursuant to which the Underwriter will agree to purchase the Refunding Bonds upon satisfaction of the conditions precedent to issuance set forth therein and with such terms for the Refunding Bonds as set forth therein.

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

Section 1. The City hereby authorizes the issuance and sale of the Refunding Bonds of the City in the aggregate principal amount not to exceed $12,650,000.

Section 2. The Refunding Bonds shall be issued as "General Improvement Refunding Bonds, Series 2013", and may contain such additional or alternate series designation as approved by the Chief Financial Officer. The Refunding Bonds shall be dated their date of delivery, shall be numbered from 1 upward in the denomination of $5,000 and integral multiples of $1,000 in excess thereof, and shall be issued as fully registered bonds. The Refunding Bonds shall mature on May 15 in each of the years and in the principal amounts and shall bear interest at the rate or rates as shall be determined by the Chief Financial Officer of the City within the limitations hereinafter provided. Interest on the Bonds shall be payable on May 15 and November 15 of each year, commencing on the May 15 or November 15 that is at least thirty (30) days after the date the Refunding Bonds are delivered to the purchaser thereof.

The City Council hereby delegates to the Chief Financial Officer of the City the power and authority to sell and award the Refunding Bonds in accordance with this Resolution and in accordance with the following parameters: the Refunding Bonds shall be issued in a maximum aggregate principal amount not to exceed $12,650,000; the present value savings in connection with the issuance of the Refunding Bonds to refund the Refunded Bonds shall not be less than 3% of the principal amount of the Refunded Bonds; the new debt service on the Refunding Bonds shall be structured such that no annual debt service payment on the Refunding Bonds shall be more than the annual debt service payment on the original debt service schedule for the Refunded Bonds; the final maturity of the Refunding Bonds shall not extend past the final maturity date of the Refunded Bonds; and the debt savings shall be substantially level across the life of the Refunding Bonds. The Chief Financial Officer of the City is hereby directed, within 10 days of the closing on the sale of the Refunding Bonds, to file with the Local Finance Board and with the Mayor and the City Council a comparison of the initial and refunding debt service schedule showing annual present value savings; a summary of the refunding; and an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds; together with a certification from the Chief Financial Officer that all of the conditions of section 5:30-2.5 of the New Jersey Administrative Code have been met and that this resolution, adopted pursuant to N.J.S.A. 40A:2-51(c), passed by two-thirds of the full membership of the governing body of the City, allowed for the refunding.

The Refunding Bonds shall be substantially in the form as provided in this Resolution, with such omissions, insertions and variations as are properly required.

Section 3. The Refunding Bonds will be initially issued in book-entry form only in the form of one certificate for the aggregate principal amount of the Refunding Bonds maturing in each year and, when issued, will be registered in the name of and held by Cede & Co., as registered owner and nominee for The Depository Trust Company, New York, New York ("DTC"), which is hereby appointed to act as securities depository for the Refunding Bonds. As long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made by the City, or a bank or trust company (if

any) selected by the Chief Financial Officer to act as paying agent and bond registrar for the Bonds pursuant to Section 11 hereof (the "Paying Agent"), directly to DTC or its nominee, Cede & Co., which will credit payments of principal of and interest on the Bonds to the participants of DTC as listed on the records of DTC as of each next preceding May 1 and November 1 (each, a "Record Date" and together, the "Record Dates" for the payment of interest on the Refunding Bonds), which participants will in turn credit such payments to the beneficial owners of the Refunding Bonds. The registration books of the City shall be kept by the Chief Financial Officer (or, if appointed pursuant to Section 11 hereof, by the Paying Agent at its corporate trust office).

The Refunding Bonds shall be payable as to both principal and interest in lawful money of the United States of America. The Refunding Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the City Clerk. If a Paying Agent is appointed pursuant to Section 11 hereof, the foregoing attestation may be made by facsimile signature of the City Clerk provided that the Refunding Bonds shall be authenticated by the manual signature of the Paying Agent. The following matters are hereby determined with respect to the Bonds:

Date of Refunding Bonds:	Date of Delivery
Interest Payment Dates:	Each May 15 and November 15 until maturity, commencing on the May 15 or November 15 that is at least thirty (30) days after the date the Refunding Bonds are delivered to the purchaser thereof, with payment being made to DTC or its authorized nominee, by the City or the Paying Agent
Bond Registrar/Paying Agent:	City of Elizabeth, unless a Paying Agent is appointed pursuant to Section 11 hereof
Securities Depository:	The Depository Trust Company, New York, New York
Authorized Denominations:	$5,000 and integral multiples of $1,000 in excess thereof

Section 4. The Bonds maturing on or before May 15, 2023, are not subject to redemption prior to maturity. The Bonds of each series maturing on or after May 15, 2024, are subject to redemption prior to maturity at the option of the City, as a whole or in part on any date on or after May 15, 2023, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of $5,000 or any integral multiple of $1,000 in excess thereof. If less than all of the Bonds of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by the Chief Financial Officer or by The Depository Trust Company (or any successor thereto).

When any Refunding Bonds are to be redeemed, the Chief Financial Officer (or, if appointed pursuant to Section 11 hereof, the Paying Agent) shall give notice of the redemption of the Refunding Bonds by mailing such notice by first class mail in a sealed envelope postage prepaid to the registered owners of the portion of any Refunding Bonds which are to be redeemed, at their respective addresses as they last appear on the registration books of the City, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Notice of redemption having been given as aforesaid, the portion of the Refunding Bonds which are to be redeemed shall, on the date fixed for redemption, become due and payable at the redemption price specified above plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such portion of the Refunding Bonds shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the City shall default in the payment of the redemption price and accrued interest), such Refunding Bonds shall no longer be considered as outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Refunding Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Refunding Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

Section 5. The Chief Financial Officer is hereby authorized to enter into a letter of representations or other agreement with DTC setting forth the respective obligations of DTC, the City and the Paying Agent (if any) with respect to the payment and transfer of the Bonds. The City agrees to comply with all obligations set forth in such agreement.

Section 6. The Refunding Bonds shall be executed by the Mayor and the Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the City shall be affixed thereto, or imprinted or reproduced thereon, and attested by the manual signature of the City Clerk.

Section 7. The distribution and, if necessary, the re-distribution, by the City of a Preliminary Official Statement pertaining to the Refunding Bonds is hereby authorized and the use of an Official Statement in substantially the form of the Preliminary Official Statement presented to this meeting is hereby approved with such changes as counsel may advise, and the use of the information contained therein concerning the City in connection with the sale of the Refunding Bonds is hereby approved and authorized and the Chief Financial Officer of the City is hereby authorized and directed to execute and deliver to the purchaser of the Refunding Bonds the final Official Statement with such changes as counsel may advise and the officer executing

the same may approve, such approval to be evidenced by such officer's execution thereof. The Chief Financial Officer is hereby authorized to deem final the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 8. RBC Capital Markets, LLC, is hereby designated as the City's investment banker in connection with the Refunding Bonds.

Section 9. Wells Fargo Bank, National Association, or such other financial institution as designated by the chief financial officer, is hereby designated as escrow agent for the Refunded Bonds (the "Escrow Agent"). The Chief Financial Officer is authorized to accept the schedule of fees provided by the Escrow Agent.

Section 10. The Refunding Bonds shall be in substantially the form attached hereto as Exhibit A, with such changes as may be appropriate.

Section 11. The Chief Financial Officer is hereby authorized to select and to enter into an agreement with a Paying Agent to ensure that the City can meet its obligations undertaken herein to the holders of the Refunding Bonds. The Chief Financial Officer may, however, elect not to select a Paying Agent for the Refunding Bonds, and may elect to select a Paying Agent at any time prior or subsequent to the issuance of the Refunding Bonds. However, the Chief Financial Officer shall select a Paying Agent upon any determination to cause the Refunding Bonds to be registered in the names of the beneficial owners thereof, as provided in Section 12 or Section 13 hereof.

Section 12. In the event that DTC shall determine to discontinue providing its services as securities depository with respect to the Refunding Bonds, the City and the Paying Agent (if any) may enter into an agreement with a substitute securities depository, if available. Alternatively, the City and the Paying Agent may cause the Refunding Bonds to thereafter be registered in the names of, and delivered to, each beneficial owner of the Refunding Bonds and thereafter the principal of the Refunding Bonds will be payable in lawful money of the United States of America at the office of the Paying Agent, and interest on the Refunding Bonds will be payable by check mailed to the respective addresses of the registered owners thereof as shown on the registration books of the City as of the close of business on the first day of the calendar month for the applicable interest payment date.

Section 13. The City may terminate the services of DTC as securities depository with respect to the Refunding Bonds if the City determines that (i) DTC is unable to discharge its responsibilities with respect to the Refunding Bonds, or (ii) continued use of the book-entry system is not in the best interests of the beneficial owners of the Refunding Bonds. In such event, the City and the Paying Agent (if any) shall either contract with a substitute securities depository or cause the Bonds to be registered in the names of the beneficial owners thereof, as provided in Section 12 hereof.

Section 14. A Continuing Disclosure Certificate in substantially the form attached hereto as Exhibit B (the "Continuing Disclosure Certificate") is hereby approved, and the Chief

Financial Officer is hereby authorized and directed to execute and deliver the Continuing Disclosure Certificate on behalf of the City in substantially such form, with such insertions and changes therein as the Chief Financial Officer may approve, such approval to be evidenced by her execution thereof.

Section 15. The proceeds of the Refunding Bonds shall be applied for the purpose of refunding the Refunded Bonds and paying the costs of issuing the Refunding Bonds

Section 16. In order to maintain the exclusion from gross income for federal income tax purposes of interest on the Refunding Bonds, and for no other purpose, the City covenants to comply with each applicable requirement of the Internal Revenue Code of 1986, as amended (the "Code"), applicable to the Refunding Bonds, and the City covenants not to take any action or fail to take any action which would cause the interest on the Refunding Bonds to lose the exclusion from gross income for federal income taxation purposes under Section 103 of the Code.

The City covenants and agrees with the holders of the Refunding Bonds that the City shall not take any action or omit to take any action which would cause the Refunding Bonds to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141(a) or 148, respectively, of the Code, or any successor provision.

The City covenants that it will take no action which would cause the Refunding Bonds to be federally guaranteed (within the meaning of Section 149(b) of the Code).

Section 17. The Escrow Deposit Agreement pertaining to the Refunded Bonds shall be substantially in the form attached to this Resolution as Exhibit C (the "Escrow Deposit Agreement") and made a part hereof and the Mayor or the Chief Financial Officer of the City are hereby authorized to execute same with such changes, revisions or alterations therefor as may be approved by the officer executing the Escrow Deposit Agreement, such approval to be conclusively evidenced by the execution thereof.

Section 18. The Bond Purchase Agreement by and between the City and the Underwriter with respect to the Refunding Bonds shall be substantially in the form attached to this Resolution as Exhibit D (the "Bond Purchase Agreement") and made a part hereof, and the Mayor or the Chief Financial Officer of the City are each hereby authorized to execute the same with such changes, revisions or alterations therefor as may be approved by the officer executing the Bond Purchase Agreement after consultation with the City's counsel and/or bond counsel, such approval to be conclusively evidenced by the execution thereof. The Underwriter's discount in connection with the Refunding Bonds shall not exceed $4.25 per $1,000 of Refunding Bonds issued.

Section 19. The Mayor, the Chief Financial Officer, the Administrator and the Clerk of the City are hereby designated, authorized and directed to perform or determine any other matters or details relating to the Refunding Bonds, to do or perform or cause to be done or performed any and all acts as such officers or Bond Counsel may deem necessary or appropriate in order to effect the proper issuance, execution and delivery of the Refunding Bonds, and to

execute, among other things, one or more subscriptions for the purchase of United States Treasury Obligations, State and Local Government Series or such other securities and/or investment agreements in accordance with the Escrow Deposit Agreement, a tax certificate certifying that, among other things, the City, to the extent it is empowered and allowed under applicable law, covenants that it will do and perform all acts and things necessary or desirable for the purpose of monitoring compliance to assure that interest paid on the Refunding Bonds is excludable from gross income under the Internal Revenue Code of 1986, as amended, and any and all instruments, opinions, affidavits, certificates, resolutions, documents or other papers as may be deemed necessary.

Section 20. The Chief Financial Officer is hereby authorized to pay out of the proceeds of the Refunding Bonds the costs of issuance therefore

Section 21. This resolution shall take effect upon the Refunding Ordinance taking effect in accordance with the Local Bond Law.

NOTE: The above referenced "Schedule A, B,C,D,E and F" are on file in the City Clerk's Office.

Which was adopted by the following vote:

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

NEGATIVE: None.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested per the recommendation of the Director of Police Department the award of a contract to **EAST COAST EMERGENCY LIGHTING, 200 Meco Drive, Millstone Twp., NJ 08535,** for the purchase of lights, sirens, electrical wiring, etc., for three (3) 2013 Ford Police Interceptor SUV Vehicles for the Police Department at a cost of $25,943.10 under their State Contract #'sA81336; 81337, 81338; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.13-06134, charging the amount of $25,943.10 to Account No. 3-1-25-240-POL-3629 of the Municipal Budget is on file in the Office of the City Clerk; 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 #'s A81336, 81337, 81338 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 authorizes the award of a contract to **EAST COAST EMERGENCY LIGHTING, 200 Meco Drive, Millstone Twp., NJ 08535,** for the purchase of lights, sirens, electrical wiring, etc., for three (3) 2013 Ford Police Interceptor SUV Vehicles for the Police Department at a cost of $25,943.10 under their State Contract #'s A81336; 81337, 81338.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Police Department the award of a contract to **BEYER FORD, 170 Ridgedale Avenue, Morristown, New Jersey 07960,** for the purchase of Three (3) 2013 for Police Interceptor SUV Vehicles at a cost of $86,966.25 under the Cranford County Co-Op Contract #101; 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 the City incurs contractual liability on its part; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **BEYER FORD, 170 Ridgedale Avenue, Morristown, New Jersey 07960,** for the purchase of Three (3) 2013 for Police Interceptor SUV Vehicles at a cost of $86,966.25 under the Cranford County Co-Op Contract #101.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Department of Public Works the award of a contract to **FELDMAN LUMBER CO., 1281 Metropolitan Avenue, Brooklyn, NY 11237**, for the purchase of Lumber and Associated Materials for various departments at a cost not to exceed $30,000.00 under the Under Morris Cooperative Purchasing Contract #10 for the period of February 4, 2013 through June 30, 2013; 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 contractual liability on its part; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **FELDMAN LUMBER CO., 1281 Metropolitan Avenue, Brooklyn, NY 11237**, for the purchase of Lumber and Associated Materials for various departments at a cost not to exceed $30,000.00 under the Under Morris Cooperative Purchasing Contract #10 for the period of February 4, 2013 through June 30, 2013.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested per the recommendation of the Director of the Department of Public Works the award of a contract to **SHERWIN WILLIAMS CO., 101 Prospect Ave., Cleveland, Ohio 44115,** for paint and related supplies for various departments for the period of February 5, 2013 through July 31, 2014 at a cost not to exceed $50,000.00 under their State Contract #82236; 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 under a State of New Jersey Contract #82236 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 **SHERWIN WILLIAMS CO., 101 Prospect Ave., Cleveland, Ohio 44115,** for paint and related supplies for various departments for the period of February 5, 2013 through July 31, 2014 at a cost not to exceed $50,000.00 under their State Contract #82236.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested the award of a contract to **EAGLE POINT, 1707 Third Street, Thorofare, NJ 08086,** for Ammunition for the Police Department for the period of February 4, 2013 to February 28, 2015 at a cost not to exceed $150,000.00 under their State Contract #81296; 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; now, therefore, be it,

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase under a State of New Jersey Contract #81296 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 **EAGLE POINT, 1707 Third Street, Thorofare, NJ 08086,** for Ammunition for the Police Department for the period of February 4, 2013 to February 28, 2015 at a cost not to exceed $150,000.00 under their State Contract #81296.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Public Works Department with NJAC 5:34 an award of a contract pursuant to **N.J.S.A**. 40A:11-5 (2) to **LOUIS BARBATO LANDSCAPING, INC., 1600 Railroad Ave.,** Holbrook NY 11741, for the purchase of 200 Little Leaf Linden Trees to be planted throughout the City in residential areas at a total cost of $31,800.00 under the Union County Cooperative Purchasing Contract #UCCP-21-2012; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose Certificate No. 13-06440, charging the amount of $15,900.00 to Account No. G-02-41-894-13, and Certificate No. 13-06642, charging the amount of $15,900.00 to Account No. G-02-41-895-13 of the Municipal Budget are on file in the Office of the Cit Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract be made to **LOUIS BARBATO LANDSCAPING, INC., 1600 Railroad Ave.,** Holbrook NY 11741, for the purchase of 200 Little Leaf Linden Trees to be planted throughout the City in residential areas at a total cot of $31,800.00 under the Union County Cooperative Purchasing Contract #UCCP-21-2012.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Recreation the award of a contract pursuant to **N.J.S.A.** 40A:11-5 (2) to **STORR TRACTOR COMPANY, 3191 Route 22, Branchburg, NJ 08876,** for the purchase of a Toro Infield Pro 3040 in the amount of $18,722.40 and a Toro Groundmaster 328D/30345 in the amount of $29,020.93 for a total cost of $47,743.33 under the Middlesex Regional Educational Commission Co-Op contract #65MCESCCPS; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose Certificate No. 13-06394, charging the amount of $18,722.40 to Account No. X-04-55-999-X52-001, and Certificate No. 13-6395, charging the amount of $29,020.93 to Account No.X-04-55-999-X52-001 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **STORR TRACTOR COMPANY, 3191 Route 22, Branchburg, NJ 08876,** for the purchase of a Toro Infield Pro 3040 in the amount of $18,722.40 and a Toro Groundmaster 328D/30345 in the amount of $29,020.93 for a total cost of $47,743.33 under the Middlesex Regional Educational Commission Co-Op contract #65MCESCCPS.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested per the Director of the Department of Recreation the award of a contract to **SPOHNRANCH, 15131 Clark Ave., Industry, CA 91745,** for the purchase of precast skate park equipment for the Holland Playground at a total cost $177,448.12 under State Contract #A81435; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-06443 charging the amount of $177,448.12 to Account No. X-04-555-999-X46-001, of the Municipal Budget is on file in the Office of the City Clerk; and; now, therefore, be it ,

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase under a State of New Jersey Contract #A81435 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 **SPOHNRANCH, 15131 Clark Ave., Industry, CA 91745,** for the purchase of precast skate park equipment for the Holland Playground at a total cost $177,448.12 under State Contract #A81435.

Councilwoman Perkins-Auguste thanked the Mayor and Recreation for funding for the skate park.

Council President Gallman stated that Recreation is working very diligently and he is thrilled that it is going to be placed at Holland Park.

River Trail

Councilman Mazza is happy to see this. He continued that it is like a sanctuary for birds, etc.

Council President Gallman stated that he walked the new portion and it is a nice path and he cannot wait for the new paths to follow.

Which was adopted by the following vote:

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

NEGATIVE: None

With No Motion Made to Remove the resolution from the Table for consideration, Council President Gallman then announced that the resolution would remain TABLED.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that The Union County Board of Chosen Freeholders have authorized the County Manager to enter into a sub-contract with the State of New Jersey Judiciary Superior Court, Probation Division for Night Watch Supervision Program services based on the Juvenile Justice Commission Points of Continuum-Disposition for the contract period of January 1, 2013 through December 31, 2013 in the amount of $35,000.00 be distributed amongst a few of the local municipalities; and

WHEREAS, the Elizabeth Police Department has been allocated a portion of the award in the amount of $11,000.00 and will use the grant award as an opportunity to Work with County Probation Officers on an overtime basis. The focus of this program is to check on juvenile offenders that are placed on probation and to ensure they are in compliance with their court orders; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into an agreement with the County of Union, Department of Human Services, Division of Youth Services, and accept a grant award in the amount of $11,000.00 from the Union County Youth Services Commission Grant Funds for the Night Watch Supervision Program, under the Juvenile Justice Commission Points of Continuum-Disposition to be utilized during the contract period of January 1, 2013 through December 31, 2013.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 9, 2012, the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to be qualified to provide the City of Elizabeth with professional engineering services in connection with the update of the All-Hazard Mitigation Plan – addressing Natural Hazards; and

WHEREAS, the City's Hazard Mitigation Plan addressing natural hazards was approved by the Federal Emergency Management Agency on March 12, 2010 and is required to be updated at least once every five years or prior to March 12, 2015. The update and resubmittal of the Plan for approval is necessary to continue to be eligible for mitigation project grant funding. The updating of the Plan will reflect changes in development, progress in local mitigation efforts and changes in priorities; and

WHEREAS, Natural Hazardous occurrences since the creation/approval of the Plan have made the City aware that an immediate update to the Plan is warranted. Some of the natural hazards that have occurred have included: Substantial snowfall events – Winter 2009/2010. The 3.0 (approximate) magnitude Earthquake – August 23, 2011, Hurricane Irene – August 28, 2011, Halloween Nor-easter – October 31, 2011 and Super Storm Sandy – October 29, 2012; and

WHEREAS, upon completion of the update, the City will continue to remain eligible for FEMA funding under both the Pre-Disaster Mitigation and Hazard Mitigation Grant programs. Project specifically include in the Plan will receive higher rankings and scores from the State Office of Emergency Management for grant allocation. Allowable projects could potentially receive 75% funding with an approved All-Hazard Mitigation Plan; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to provide professional civil engineering services on a time and materials basis with not to exceed cost of $51,500.00 plus reimbursables in connection with the update of the All-Hazard Mitigation Plan addressing Natural Hazards. Under the existing approved All-Hazards Mitigation Plan, the Plan update is eligible for 75% reimbursement; 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 is awarded 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 Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-06582, charging the amount of $51,500.00 to Account No. 3-07-55-504-SEW-412, of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to provide professional civil engineering to provide professional civil engineering services on a time and materials basis with not to exceed cost of $51,500.00 plus reimbursables in connection with the update of the All-Hazard Mitigation Plan addressing Natural Hazards. Under the existing approved All-Hazards Mitigation Plan, the Plan update is eligible for 75% reimbursement.
2. This contract is awarded without competitive bidding as a "Professional Service"in accordance with **N.J.S.A.** 40A:11-2(6) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
3. A notice of this action shall be printed once in **The Star Ledger**.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 9, 2012, the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **ENVAR SERVICES, INC., 505 Milltown Road, North Brunswick, New Jersey 08902**, to be qualified to provide the City of Elizabeth with Civil engineering design services in connection with the detailed design of the Elizabeth River Trail – Phase 2 as part of their proposal dated February 13, 2013; and

WHEREAS, ENVAR SERVICES, INC., was previously awarded a contract for the preliminary investigation and preliminary design for the project; and

WHEREAS, the scope of the work includes permitting services, specifically NJDEP Waterfront Development, NJDEP Wetlands, USACOE Wetlands and Soil Erosion certification applications. Easement maps will be developed along with final civil, structural, electrical and landscape design of the trail. ENVAR will provide bidding services including preparing bid package and reviewing bids. Services during construction will include construction administration to confirm that the contract is proceeding according with the contract plans and specifications. Phase 2 will extend along Pearl Street from Bridge Street to South Street; and

WHEREAS, the Department of Public Works has requested authorization to award a contract to **ENVAR SERVICES, INC., 505 Milltown Road, North Brunswick, New Jersey 08902,** to provide civil engineering design services at a cost not to exceed $123,600.00 plus reimbursables in connection with the detailed design of the Elizabeth River Trail – Phase 2; 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 is awarded 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 Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-06581, charging the amount of $123,600.00 to Account No. X-04-55-048-001, of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **ENVAR SERVICES, INC., 505 Milltown Road, North Brunswick, New Jersey 08902,** to provide civil engineering design services at a cost not to exceed $123,600.00 plus reimbursables in connection with the detailed design of the Elizabeth River Trail – Phase 2.

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 9, 2012, the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **USA ARCHITECTS, 20 Doughty Avenue, Somerville, New Jersey 08876,** to be qualified to provide the City of Elizabeth with architectural services; and

WHEREAS, the project involved determining the feasibility of converting of an area of approximately 12,000 SF on the third floor of the Public Works Maintenance Facility located at 400 Atlantic Street into a records retention room. The goal of the project will be to provide for short and long term paper document storage, digital storage and the capability to scan paper documents to digital storage; and

WHEREAS, the scope of the work will consist of a conceptual floor plan and budget estimate as well as a structural, electrical, mechanical, plumbing and fire protection systems upgrade report; and

WHEREAS, the Department of Public Works has requested authorization to award a contract to **USA ARCHITECTS, 20 Doughty Avenue, Somerville, New Jersey 08876,** to provide architectural services at a cost not to exceed $25,000.00 plus reimbursable for the preparation of conceptual designs for the records retention room; and

WHEREAS, the contract is awarded 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 Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-06583, charging the amount $25,000.00 to Account No. 3-01-26-310-BLD-302, of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **USA ARCHITECTS, 20 Doughty Avenue, Somerville, New Jersey 08876,** to provide architectural services involving determining the feasibility of converting of an area of approximately 12,000 SF on the third floor of the Public Works Maintenance Facility located at 400 Atlantic Street into a records retention room at a cost not to exceed $25,000.00 plus reimbursable for the preparation of conceptual designs for the records retention room.

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

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

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

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

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

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

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

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

Certificate/Invoice 2/14/13 Total Amount $3,030.65.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has advised that the Department of Health and Human Services, Office on Aging has requested permission to accept a Westinghouse 60 inch –BR 6097 flat screen television from Councilman Carlos Cedeno. The television will be placed at O'Donnell Dempsey Senior Center; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the Department of Health and Human Services, Office on Aging to accept Westinghouse 60 inch –BR 6097 flat screen television from Councilman Carlos Cedeno. The television will be placed at O'Donnell Dempsey Senior Center.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, ~~Cedeno~~, Mazza, and President Gallman - ~~X~~ 8

NEGATIVE: None

EXCUSED: CEDENO – 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED, that a loading zone for the **New Jersey Dairy Express, Inc., 527-539 Pennsylvania Avenue, Elizabeth, New Jersey** be installed on the east side of Pennsylvania Avenue, beginning 148' north of Whitehead Place and continuing 90' north thereof.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grova~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 8

NEGATIVE: None

EXCUSED: GROVA — 1

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Orlando Awkward v. City of Elizabeth, et al, CP No.: 2010-7881;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement of 10% of partial total or $12,720.00 for the psychiatric condition and $2,000.00 pursuant to a Section 20 Settlement for the petitioner's pulmonary complaints for a total of $14,720.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-06852 charging the amount of $14,720.00 to Account No. 03-21-56-249 and of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby approves and authorizes the settlement of the claim in an amount of $14,720.00 payable to **Orlando Awkward, 77 South Park Street, Elizabeth, New Jersey 07206**, and the **Attorney for the Plaintiff: Richard L. Kuhrt, LLC, 600 Elizabeth Avenue, Elizabeth, New Jersey 07206.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Daniel Galman,** Sr., **v. City of Elizabeth, et al, CP No.: 2010-17657;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement of 25% of partial total or $36,186.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-06851 charging the amount of $36,186.00 to Account No. 03-21-56-249 and of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby approves and authorizes the settlement of the claim in an amount of $36,186.00 payable to **Daniel Galman, Sr., 537 Court Street, Elizabeth, New Jersey,** and the **Attorney for the Plaintiff: Forman & Cardonsky, 701 Westfield Avenue, Elizabeth, New Jersey 07206.**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Grova,, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President ~~Galman~~ - 8

NEGATIVE: None

EXCUSED: GALLMAN - 1

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Nicole Sandwith v. City of Elizabeth, et al, CP No.: 2007-25687;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement of 15% of partial total for the orthopedic injuries totaling $17,100.00 together with a Section 20 Settlement of $10,000.00 as to hearing loss for a gross settlement of $27,100.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-06850 charging the amount of $27,100.00 to Account No. 03-21-56-249 and of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby approves and authorizes the settlement of the claim in an amount of $27,100.00 payable to **Nicole Sandwith, 326 Stevens Avenue, South Amboy, New Jersey 08879,** and the **Attorney for the Plaintiff: Geldhauser Shiffman & Rizzo, LLC, 1852 Route 88 East, Brick, New Jersey 08724.**

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth opposes the State of New Jersey's decision to shut down the Woodbridge and North Jersey Development Center in Totowa; and

WHEREAS, thirty-eight families of disabled residents have sued the State of New Jersey and filed a class-action lawsuit alleging that the State violated the constitutional rights of the Center's residents, broke a series of federal laws by closing the facilities forcing their families to either move them to smaller group homes or to more distant developmental centers; and

WHEREAS, only two of the State's seven centers are located in heavily populated northeaster New Jersey; and

WHEREAS, the lawsuit seeks to keep the Developmental Center open, to restore staffing levels to what they were before the decision to close the facilities, and to require residents' consent to move from the Centers. It alleges that the State has violated the Americans with Disabilities Act, the Rehabilitation Act and Medicaid law; and

WHEREAS, the lawsuit notes that most residents have severe disabilities, are unable to communicate and depend on the Center's staff "to initiate and complete all activities of daily living"; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth opposes the State of New Jersey decision from shutting down the Woodbridge and North Jersey Development Center in Totowa. The City of Elizabeth agrees and supports the thirty-eight families of disabled residents who filed a lawsuit against the State of New Jersey alleging that the State of New Jersey violated the Americans with Disabilities Act, the Rehabilitation Act and Medicaid law of disabled residents; and be it

FURTHER RESOLVED that the City Council of the City of Elizabeth seeks to keep the Developmental Center open, to restore staffing levels to what they were before the State's decision to close the facilities, and to require residents' consent to move from the Centers; and be it

FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Christie and Senator Raymond Lesniak.

Councilman Gonzalez stated that he totally supports this resolution. He continued that he read that the Governor stated that New Jersey has the largest number of institutionalized individuals. He stated further that he supports them.

Councilman Grova stated that his wife works in this field and these centers are very important in the group homes, the services are not the same.

Councilwoman Perkins-Auguste stated that in addition to supporting the developmental centers, it is important to remember the residents. She requested that a copy of the resolution be sent to the State Senator, Assemblyman Cryan and Assemblywoman Quijano. She continued that "you cannot turn your backs on people who need the developmental centers." She stated further that we must let them know we are watching them.

Councilman Keenan stated that is another incident where the Governor has the dollars and cents. He continued that these are people that we know are in need of their services. He stated further that he hopes that part of this resolution is to raise awareness to the media because this is totally unacceptable.

Councilman Mazza stated that he is very impressed with the gentleman who spoke and he totally supports this resolution.

Councilman Cedeno stated that it affects many, but especially the people that live there. He continued that we are their voice and it is our obligation to stand up and voice out.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on Saturday, March 23, 2013 at 8:30 p.m. the City of Elizabeth is supporting the thousands of cities around the world that will go dark for one hour during the World Wildlife Fund Earth Hour to raise awareness of the environmental challenges and climate changes we all face; and

WHEREAS, residents of Elizabeth are encouraged to turn off non-essential lights for an hour. The non-essential lighting by government buildings will be turned off and the City will promote the event and encourage landmarks and businesses in our community to join in; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth shall participate in the World Wildlife Fund Earth Hour to raise awareness of the environmental and climate challenges on March 23, 2013.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

RESOLVED, by City Council of the City of Elizabeth that Tuesday, May 28, 2013 is hereby designated as **"Youth in City Government Day"** and that the regular meeting scheduled for May 28, 2013 will be held at 2:00 p.m. instead of 7:30 p.m.; and be it

FURTHER RESOLVED, that Councilman, Frank O. Mazza as appointed as Chairman of said affair.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE: ~~February 19, 2013~~ ~~February 21, 2013~~

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.	**3-01-31-440**	**$**	**5,972.09**
ELIZABETHTOWN GAS	**3-01-31-446**	**$**	**25,276.88**
FLEETCOR TECHNOLOGIES SERVICE	**3-01-31-460**	**$**	**111,826.04**
HESS CORP-GAS	**3-01-31-430**	**$**	**3,682.16**
PSE&G	**3-01-31-430**	**$**	**15,892.80**
VERIZON	**3-01-31-440**	**$**	**194.00**
VERIZON WIRELESS	**3-01-31-440**	**$**	**15,856.39**
VERIZON COMMUNICATIONS	**3-01-31-440**	**$**	**55.12**

Which was adopted by the following vote:

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

NEGATIVE: None

~~February 26, 2013~~

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
NJFMBA			5302	02-12-13
St. Genevieve			5303	02-28-13
Benedictine Academy			5304	03-01-13
St. Adalbert R.C. Church			5305	03-12-13

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth, New Jersey, has learned of the retirement of Lieutenant William Dugan from the Elizabeth Police Department, now therefore be it

RESOLVED that the City Council of the City of Elizabeth hereby commends Lt. Bill Dugan for his many years of service and extends their best wishes for continued happiness and good health in the future; and be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of City Council and that a certified copy be forwarded to Police Lt. Dugan.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to acknowledge the Elizabeth Packers for their many contributions to our community and for their commitment to the Elizabethport Presbyterian Center and their mission; and

WHEREAS, the Elizabeth Packers is a community based recognized organization primarily established to develop and solidify a positive relationship for the youth of the City of Elizabeth through a program geared towards elementary and middle school aged children between the ages of five and fifteen years old; and

WHEREAS, the philosophy and purposes of the Elizabeth Packers is to provide mentoring and academics assistance. The Elizabeth Packers promotes and offers the community ideas of good sportsmanship, honesty, loyalty, courage and integrity of supervised competitive sports; and

RESOLVED that the City Council of the City of Elizabeth would like to commend the Elizabeth Packers for their dedication and commitment to serving the community and for their commitment to the Elizabethport Presbyterian Center and their mission and wishes the Elizabeth Packers continued success in all of their 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 sent to the Elizabeth Packers.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to acknowledge the Darlene M. Robinson for her many contributions to our community and for her commitment to the Elizabethport Presbyterian Center and their mission; and

WHEREAS, upon graduation from Georgetown University's Edmund J. Walsh School of Foreign Service she accepted a position in Midlantic National Bank's Credit Management Training program; and

WHEREAS, Darlene M. Robinson has an extensive banking career with many of the region's prominent banking institutions; and

WHEREAS, after several years of working in the banking industry, in 1999, Darlene took a position at the New Jersey Redevelopment Authority, initially as the Director of Development and then as the Director of Finance; and

WHEREAS, from 2003 to 2006, she was the Executive Director of the City of Trenton's Economic Development Corporation, a private non-profit organization focusing on the economic stimulus of private investment in downtown Trenton; and

WHEREAS, she is currently a Development Advisor in PNC's Community Development Banking Northeast Territory Team. She manages and supports community development banking relationships in Central and Northern New Jersey. She was also the former Vice-Chairman of Ewing Township's Redevelopment Agency; and

RESOLVED that the City Council of the City of Elizabeth would like to commend Darlene M. Robinson for her many contributions to the region's prominent banking institutions,for her commitment to the Elizabethport Presbyterian Center and their mission and wishes her continued success in all of their 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 sent to the Darlene M. Robinson.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to acknowledge Fatimah S. Raymond, Director of Neighborhood Revitalization, for her commitment to the Elizabethport Presbyterian Center and their mission; and

WHEREAS, Fatimah has always dedicated herself to coordinating and marketing the various Elizabeth Development Company programs to the City's low income residents and small businesses, a role she has exercised since 1991when she joined EDC as a loan officer; and

WHEREAS, Ms. Raymond serves at the lead on the administration of a Wells Fargo Regional Foundation Grant for $1.3 million as well as two Neighborhood Revitalization Tax Credit designations for both Elizabethport and Historic Midtown overseeing $7 million in projects. Ms. Raymond oversees and coordinates the Community Development Block Grant (CDBG) program funding projects totaling $28 million; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth would like to commend Fatimah S. Raymond for her dedication and commitment to serving the community and her many contributions for her commitment to the Elizabethport Presbyterian Center and their mission; 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 sent to Fatimah S. Raymond.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to commend Darryl L. Hall, affectionately known as Born, for his commitment to the Elizabethport Presbyterian Center, Inc and their mission; and

WHEREAS, Born has a history of civic service specifically working with children and youths 16-20 years of age. He has worked as the Case manager in Brand New Days' Youth Build Program, overseeing and teaching in Life Skills Workshops and was responsible for mentoring young adults in its program services activities; and

WHEREAS, he has worked for the Elizabethport Presbyterian Center, Inc., organizing and supervising their adolescent programs and series, and its Urban Gateway Enhancement Program which included teaching participants the basics of landscaping and beautifying selected site in Elizabeth. As its Community Service Coordinator, he supervised programs where his responsibilities included maintain all entry and exit data for the clients including court appearances; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth commends Darryl L. Hall for his hard work at mentoring, educating and exposing young people to positive environments that aim to teach responsibility and non-violence and his commitment to the Elizabethport Presbyterian Center, Inc and their mission; 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 sent to Darryl L. Hall.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that on February 22, 2013, Pastors Esteban and Ruth Loza celebrated the Grand Inauguration of their New Sanctuary, Ministerio Presencia Del Ray, which is located on 407 North Broad Street, Elizabeth, New Jersey; and

WHEREAS, the City of Elizabeth celebrates this joyous occasion; and

RESOLVED, the City Council of the City of Elizabeth would like to commend and congratulate Pastors Esteban and Ruth Loza for celebrating their Grand Inauguration of their New Sanctuary, Ministerio Presencia Del Rey, and wishes them continued success in all of their future endeavors; and be it

FURTHER RESOLVED, that a copy of this resolution be sent to Pastors Esteban and Ruth Loza at Ministerio Presencia Del Rey and a copy of this resolution shall be spread in full upon the minutes over the minutes of City Council.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth, New Jersey, would like to take this opportunity to recognize and commend Andrew Lazarte for his accomplishment of being selected Student of the Month at Elizabeth High School, therefore be it

RESOLVED that the City Council of the City of Elizabeth hereby extends their best wishes for continued good work; and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Mamie L. Tyler, 77; and

WHEREAS, Mamie came to Elizabeth, New Jersey many years ago she was a Committee Woman in the Fifth Ward 8th District; and

WHEREAS, she was employed by Kean University until July 2000, when she retired; and

WHEREAS, Mamie was a faithful member of Siloam Hope Presbyterian Church in Elizabeth, New Jersey and served as an elder, on the kitchen committee, and as a member of the Presbyterian Woman. She was also a member of the N.P.R.O.; and

RESOLVED that we, the members of City Council of the City of Elizabeth hereby express our sincere sorrow at the death of Mamie L. Tyler; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof be sent to 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 Maria Perrotti (nee Nigro), 99; and

WHEREAS, Maria was born in Vallata, Italy. In 1962, she came to New York and then settled in the Peterstown section of Elizabeth, New Jersey; and

WHEREAS, she devoted herself to her family. She enjoyed knitting and loved to spent time with her grandchildren; and

WHEREAS, Maria is survived by her daughter-in-law, Dolores Perrotti, and grandchildren Marcella, Cristina, Carmine, Anthony and his wife, Lupe Perrotti. Maria was predeceased by her beloved husband, Carmine and her cherished son, Aldo Perrotti; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Maria Perrotti and wishes to express sympathy to her family and friends at this time, during 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 Maria Perrotti's 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 Evangelist Sally Hughes, 83; and

WHEREAS, born in Elizabeth, New Jersey. She worked various jobs and retired from the Elizabeth Board of Education; and

WHEREAS, she was a faithful and dedicated member of the Mount Teman A.M.E. Church; and

WHEREAS, she attended Kean College and Upsala College, where she studied early childhood education; and

WHEREAS, she was founder of the Elizabeth Education Association Annual Poetry Festival; and

RESOLVED that we, the members of City Council of the City of Elizabeth hereby express our sincere sorrow at the death of Evangelist Sally Hughes; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof be sent to 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 Carmel Joseph Tintle, 88; and

WHEREAS, Carmel was a volunteer publicist for Assumption College for sisters in Mendham, New Jersey. He was a member of the Knights of Columbus and St. Patrick Guard of Honor; now, therefore, be it

RESOLVED that we, the members of City Council of the City of Elizabeth hereby express our sincere sorrow at the death of Carmel Joseph Tintle; and be it

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

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

CLOSED SESSION

By City Council As A Whole:

RESOLVED that City Council of the City of Elizabeth shall meet in closed session in order to discuss pending litigation regarding the Passaic River Contamination with the Law Department within the attorney-client privilege and be it

FURTHER RESOLVED that the discussion of said matter will be disclosed to the public when it is resolved.

Which was adopted by the following vote:

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

NEGATIVE: None

RECESS FOR CLOSED SESSION

City Council being called to order, the Clerk called the roll and the following members answered to their names:

PRESENT: Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9

Councilwoman Perkins-Auguste moved that City Council do now adjourn, Which was carried unanimously.

Whereupon Council President Gallman declared City Council adjourned at 8:45 p.m.

APPROVED

WILLIAM GALLMAN, JR.
President of City Council

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