PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
August 27, 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 - ~~X~~ 8

ABSENT: Grova - 1

ALSO PRESENT: Jorge Estrada, Special Counsel

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

PUBLIC SPEAKING

Mr. Phil Bain of the First Ward, requested of City Council to urge the legislators to overturn Governor Christie's veto of 2013-597. He requested of City Council to adopt a resolution and forward it to the Union County Board of Chosen Freeholders.

Mr. Jose Rodriguez, 618 Jackson Avenue, spoke of the tax bill that he received. He continued that the Mayor explained the increase was because of the increase in the Board of Education's budget. He stated further that his taxes were raised approximately $210.00. Mr. Rodriguez stated that he will have to raise his tenants rents.

Mr. Sammy Muhammad, 32 Elmwood Place, thanked Council for their help and support. He announced that they will be hosting an event in October at Jefferson Park. He continued that Councilman Grova recommended that his security firm patrol Oakwood Plaza and there has not been an incident.

Ms. Alice Camacho and Mr. Sean Sullivan, 84 Avon Street, stated that they are in low income housing and are being asked to pay the water bill. They continued that the owner has told them they are responsible for the water and if it is not paid, CIS will evict them. Ms. Camacho stated that Water's Edge is the only housing that requires the tenant to pay the water bill.

Ms. Carol Meeks, Water's Edge resident, stated that her water bill costs $250.00. She continued that CIS receives the bill then they divide the amount between the tenants. She stated further that the water bill is given to each tenant.

Councilman Torres stated that he has scheduled a meeting with CIS to discuss why the water bill is not in the tenant's name.

Mr. James Carey, 212 Inslee Place, stated that on August 24, twelve (12) individuals were taken to Washington, D.C., for the Dr. Martin Luther King March on Washington, sponsored by Council members Cedeno, Perkins-Auguste, Torres, Cuesta and Gonzalez, as well as Board of Education Commissioner Bathelus.

(Name Not Given), a resident of Olive Street,stated that she personally wanted to thank Councilman Cuesta for sponsoring her trip to Washington, D.C. She continued that she made a commitment to come because for the past couple of weeks she has not had gas in her apartment. She stated further that she moved from Anna Street in 2011

and found out the utilities were not turned off and the new tenants were using the service but never had the utilities put in their names.

(Name Unknown) stated that she has learned that she is not alone and there are others having the same problem. She stated further that the burden of proof is put on the last consumer.

Ms. Janine Hall, First Street, stated that she appreciated Council's help in sending her to Washington, D.C.

Mr. Kaheem Best, 523 Court Street, thanked Councilwoman Perkins-Auguste for sponsoring his trip to Washington, as well as attending the community cookout. He thanked Councilman Gallman for his kind words about his grandfather.

Ms. Maria Echeverriera, 321 Westfield Avenue, stated that inspectors came to her home and painted her apartment, but did not put a tarp down, so paint got on the floor.

There being no one else present 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 public hearing on **Ordinance No. 4388** , entitled: "Amend Chapter 13.16.130 (B) 2; 13.16.130 (B)(3)(A); 13.16.130 (B)(3)(b) and H of the Code of the City of Elizabeth, entitled 'Sewer Service System', specifically to increase sewer rates and augment the language thereof," has been cancelled and rescheduled for September 10, 2013.

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4398**, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4094, ADOPTED ON JANUARY 12, 2010, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE JOSEPH CORTES CEDENO, 601 THIRD AVENUE, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **July 23, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4399**, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3487, ADOPTED ON JANUARY 28, 2003, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR MERCEDES DELATE, 926 ½ SOUTH STREET,ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **July 23, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4400**, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3798, ADOPTED ON FEBRUARY 28, 2006, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR SANDRA M. MAYERS-ALLMOND, 917 MCLAIN STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **July 23, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4401**, entitled:

AN ORDINANCE RESCINDING ORDINANCE NUMBER 4332 APPROVING A PAYMENT IN LIEU OF TAXES (PILOT) FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION WITH E'PORT FAMILY HOMES URBAN RENEWAL, L.P. FOR CONSTRUCTION OF A SCATTERED SITE NEW CONSTRUCTION DEVELOPMENT LOCATED AT 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372 AND 112); 212-214 THIRD STREET (BLOCK 3, LOT 1023) AND 200-206 THIRD STREET (BLOCK 1, LOT 1026), ELIZABETH, NEW JERSEY

This ordinance was adopted on its first reading at the meeting of City Council held on **July 23, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4402**, entitled:

AN ORDINANCE APPROVING A PAYMENT IN LIEU OF TAXES (PILOT) FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION WITH E'PORT FAMILY HOMES URBAN RENEWAL, L.P. FOR A NEW CONSTRUCTION DEVELOPMENT LOCATED AT 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372) AND 106 COURT STREET (BLOCK 2, LOT 112) ELIZABETH, NEW JERSEY

This ordinance was adopted on its first reading at the meeting of City Council held on **July 23, 2013**.

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

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

Council President Gallman announced that the next order of business would be a public hearing on the Elizabeth Avenue Special Improvement District Budget for Fiscal Year 2013 in the amount of $272,059.00.

Council President Gallman asked if there was anyone present who wished to speak either for or against the adoption of the Elizabeth Avenue Special Improvement District Budget for Fiscal Year 2014.

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 July 9, 2013, from the Business Administrator recommending the award of a contract to W. B. Mason Co., Inc., 535 Secaucus Road, Secaucus, NJ, and Paterson Papers, 730 Madison Avenue, Paterson, NJ, for the purchase of copy paper for the period of July 1, 2013 through June 30, 2014, in the amount not to exceed $40,000.00.
Which was received.

By the Clerk:
Letter dated July 10, 2013, from the Business Administrator recommending the award of a contract to Bayway Lumber, 400 Ashton Avenue, Linden, NJ, for the purchase of lumber and associated materials for various departments for the period of July 1, 2013 through June 30, 2014, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated July 10, 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 July 1, 2013 through June 30, 2014, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated July 11, 2013, from the Business Administrator recommending the award of a contract to Royal Printing Service, P.O. Box 547, West New York, NJ, for the printing of sample election ballots for the 2013 Primary and General election in the amount of $38,215.00.
Which was received.

By the Clerk:
Letter dated July 12, 2013, from the Business Administrator requesting to renew the contract with Highway Service Corporation, 548 Trumbull Street, Elizabeth, NJ, for towing and road service for municipal vehicles for a period of one year commencing September 13, 2013 through September 12, 2014, under the same terms and conditions as the current contract.
Which was received.

By the Clerk:
Letter dated July 15, 2013, from the Business Administrator requesting authorization for the sale of the 1989 Federal Motors Hurricane Pumper, VIN#: 46JKBAA89K1002862, to the Union County Fire Academy in the amount of $1.00.
Which was received.

By the Clerk:
Letter dated July 15, 2013, from the Business Administrator recommending the award of a contract to Motorola Communications and Electronics, Inc., P.O. Box 161, Wharton, NJ, for the purchase of communications equipment and accessories for various departments for the period of June 1, 2013 through May 31, 2014 at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated July 15, 2013, from the Business Administrator recommending the award of a contract to Marturano Recreation Company, P.O. Box 106, Spring Lake, NJ, for the purchase of site amenities for the O'Brien Park Playground at a total cost of $137,923.49.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated July 17, 2013, from the Business Administrator requesting authorization for the proper City officials to enter into and execute a Shared Services Agreement by and between the City of Elizabeth, New Jersey, and the County of Union, New Jersey, for utilizing services offered by the County printing and signage shops for the City's own needs in conducting in-house business, advertising and informational purposes; no fee to join.
Which was received.

By the Clerk:

Letter dated July 23, 2013, from the Business Administrator recommending the award of a contract to Wireless Communications and Electronics, 153 Cooper Road, West Berlin, NJ, for the purchase of computers and computer accessories for the Fire Department for the period of July 1, 2013 through August 31, 2014, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:

Letter dated July 23, 2013, from the Business Administrator recommending the award of a contract to Marturano Recreation Company, Inc., P.O. Box 106, Spring Lake, NJ, for the purchase of playground equipment for Holland Park at a total cost of $40,000.00.
Which was received.

By the Clerk:

Letter dated July 24, 2013, from the Business Administrator recommending the award of a contract to Firefighter One Limited, 26 Gail Court, Suite 1, Sparta, NJ, for the purchase of Interface, the New Radio System, for Emergency Services at a total cost of $40,880.70.
Which was received.

By the Clerk:

Letter dated July 25, 2013, from the Business Administrator recommending the award of a contract to Pierce Manufacturing, Inc., 2600 American Way, Appleton, WI, for the alterations to one Pierce Pumper Engine #6 in the total amount of $6,383.00.
Which was received.

By the Clerk:

Letter dated August 1, 2013, from the Business Administrator recommending the award of a contract to Atlantic Uniform Company, Inc., 65 Market Street, Newark, NJ, for the purchase of uniforms, helmets and other equipment for the Police Department for the period of May 1, 2013 to April 30, 2014 at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:

Letter dated August 1, 2013, from the Business Administrator requesting authorization for the proper City officials to renew an agreement with the Assembly of God Portuguese Ministry of Elizabeth, Inc., 1123-1131 Dickinson Street, Elizabeth, for the use of the Church's parking lot by City employees during normal business hours at a nominal fee of $1.00 per year from September 1, 2013 through August 31, 2015.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated August 2, 2013, from the Business Administrator requesting authorization for the proper City officials to approve the policy of insurance with Western Surety Bond Company of Sioux Falls, SD, through Hughes-Plumer Associates, covering Municipal Court Judges and the entire Municipal Court Personnel for the period of September 1, 2013 to September 1, 2014 at an annual premium of $1,565.00.
Which was received.

By the Clerk:

Letter dated August 2, 2013, from the Business Administrator recommending the award of a contract to A.N.A. Painting Corporation, 172 Linden Street, Hackensack, NJ, for the furnishing of painting of public buildings for the Department of Public Buildings for a period of two years from the date of the award in an amount not to exceed $100,000.00 per year for a total of $200,000.00.

By the Clerk:

Letter dated August 2, 2013, from the Business Administrator recommending the award of a contract to First Priority Emergency Vehicles, 2444 Ridgeway Boulevard, Manchester, NJ, for the furnishing and conversion for two (2) 2013 or current model year Chevrolet Suburban Fleet Commercial Packages or equivalent in the amount of $142,600.00.
Which was received.

By the Clerk:

Letter dated August 5, 2013, from the Business Administrator recommending the award of a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, NJ, for cleaning, inspections, monitoring of oil/water separators, above and underground tanks at various locations and DEP compliance for the period of August 1, 2013 through November 30, 2013,at a cost not to exceed $50,000.00.

By the Clerk:

Letter dated August 5, 2013, from the Business Administrator recommending the award of a contract to AAT Communications Systems Corporation, 3030 Veterans Road West, Staten Island, NY, for the purchase of DI Recorder Maintenance Contract and Upgrade to the SDS 24 Digital Channels for the Police Department at a cost of $24,574.20.
Which was received.

By the Clerk:

Letter dated August 6, 2013, from the Business Administrator requesting that your Honorable Body consider rejecting Energy Services Company proposals and authorize the Purchasing Agent to re-commence the competitive contracting process for the purposes of selecting an energy services company to initiate an Energy Services Improvement Program.
Which was received.

By the Clerk:

Letter dated August 6, 2013, from the Business Administrator requesting authorization for the proper City officials to enter into and execute an Intergovernmental Shared Services Agreement between the City of Elizabeth and the Parking Authority of the City of Elizabeth allowing collaboration with the City and realize savings for public works construction projects by utilizing the City's membership in certain purchasing cooperatives.
Which was received.

~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:
Letter dated August 6, 2013, from the Business Administrator requesting authorization for an Intergovernmental Agreement with the Parking Authority of the City of Elizabeth allowing for a dedicated and secured fenced-in-area of the James De Biasio Parking Garage, 210 Jefferson Avenue, to be utilized by the Elizabeth Police Department.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the Business Administrator recommending the award of a contract to Janyce Wilson, Esq., 226 St. Paul Street, Westfield, NJ, as Redevelopment Counsel for the period July 1, 2013 to June 30, 2014, at the rate of $175.00 per hour not to exceed $90,000.00, unless further authorized by your Honorable Body.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the Business Administrator requesting that your Honorable Body consider authorizing a five year lease-to-own agreement with RFP Solutions, Inc., 10F Greenwood Avenue, Woodbury, NJ, for all equipment, maintenance and service commencing August 28, 2013, in the amount of $977,552.00.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the City Attorney requesting authorization for the proper City officials to execute a Temporary Access Agreement with the County of Union for an archeological study between Bridge Street and South Street before construction in order to satisfy Green Acres requirements for Phase II of the Elizabeth River Trail.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the City Attorney requesting authorization for the proper City officials to execute an Access and Use Agreement with the County of Union between Bridge Street and South Street in order to construct and maintain the River Trail Phase II for a twenty year period.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the City Attorney requesting to amend the resolution adopted July 23, 2013, to retain legal counsel for representation of the City and City employees in tort litigation where LaCorte, Bundy, Varady & Kinsella, Esqs., have conflicts of interest, specifically to include Edwin R. Matthews, Esq., Bourne, Noll & Kenyon, Counselors at Law, 382 Springfield Avenue, Suite 507, P.O. Box 690, Summit, NJ, at the rate of $175.00 with a cap of $65,000.00 for the period of July 1, 2013 to June 30, 2014.
Which was received.

By the Clerk:
Letter dated July 17, 2013, from the Chief Financial Officer requesting authorization for the Tax Collector to credit said individual's taxes who are entitled to a Senior Citizen or Disability Deduction, and a Veteran Deduction for the 2013 Tax Year as per the delineated list in the amount of $5,000.00.
Which was received.

~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:
Letter dated August 6, 2013, from the Chief Financial Officer advising that transfers for the 2013 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the Chief Financial Officer advising that Temporary Emergency Appropriations for the 2014 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the Chief Financial Officer requesting an ordinance to exceed the 2014 SFY Appropriation "CAP" up to three and one-half (3.5%) percent, which includes a 1.5% increase in excess of the increase in the final appropriations otherwise permitted by the Local Government CAP Law; revised amount of the increase is $6,173,940.00.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the Chief Financial Officer advising that an application is required to be filed with the Local Finance Board for a waiver of the down payment of $1 million regarding the Waterfront Improvement Bond Ordinance for Hurricane Sandy related improvements.
Which was received

By the Clerk:
Letter dated August 6, 2013, from the Chief Financial Officer requesting approval of a bond ordinance authorizing Environmental Engineering Compliance and Remediation including demolition and/or soil removal and related work at various properties owned by the City including but not limited to the following facilities: City Yard, Elizabeth Annex Building, Fire Headquarters, Mickey Walker Recreation Center and the Elizabeth Marina in the amount of $800,000.00; with a down payment of $40,000.00.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the Chief Financial Officer requesting approval of a bond ordinance authorizing the cost of construction of the Elizabeth River Trail Phase II, including the construction of a pedestrian/bicycle pathway, lighting, benches, trash receptacles, signage, landscaping, fencing, storm water drainage piping and other inlets and appurtenances, required for proper and safe storm water management in the amount of $1,600,000.00; with a down payment of $80,000.00 anticipating a matching grant of $600,000.00 from Green Acres.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the Chief Financial Officer requesting that City Council consider approving a bond ordinance authorizing the reconstruction of the Elizabeth Waterfront due to Hurricane Sandy which damaged the Veterans Waterfront Park, the Marina, the Recreation Pier, the Hike, Bike & Roll Throughway, Marciante-Millet-Jackson Park, and the Atalanta Public Access Walkway in the amount of $20,000,000.00; anticipating that FEMA will reimburse the City 90% of all eligible costs.
Which was received.

~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:
Letter dated August 6, 2013, from the Chief Financial Officer advising that in compliance with the SFY 2014 Appropriations Act requires your Honorable Body to approve all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:
Letter dated July 2, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary to discharge the City's second mortgage E'Port Commercial Loan Program Mortgage Agreement and cancellation of the affordability agreement on the property located at 132-134 First Street in the amount of $25,000.00.
Which was received.

By the Clerk:
Letter dated July 2, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary to discharge the City's second mortgage UEZ Commercial Loan and cancellation of the affordability agreement on the property located at 1120-1122 Dickinson Street in the amount of $90,000.00.
Which was received.

By the Clerk:
Letter dated July 8, 2013, from the Director of Planning and Community Development authorization to enter into a CDBG Agreement with United Youth of New Jersey, 220 West Jersey Street, Elizabeth, NJ, for funds to help cover costs for participation in the Miss America Pageant in Atlantic City for the period of July 1, 2013 until December 31, 2013 in the amount of $4,625.00.
Which was received.

By the Clerk:
Letter dated July 23, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary to discharge the First Time Home Buyer Program/ADDI-Deferred Payment Loan Program, City's second mortgage and cancellation of the Deed of Easement and Restrictive Covenant on the property located at 108 South Park Street in the amount of $12,075.00.
Which was received.

By the Clerk:
Letter dated July 30, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Rental Housing Program Deferred Payment Loan on the property located at 848 E. Jersey Street for the rehabilitation of 1 Program assisted units in a 3 unit project in the amount of $60,000.00.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the Director of Planning and Community Development recommending the award of a contract to Dynamic Earth, LLC, 245 Main Street, Suite 113, Chester, NJ, to perform a supplemental environmental remediation concerning groundwater wells and monitoring for the period of August 28, 2013 through August 27, 2014 at a cost not to exceed $156,000.00, unless further authorized by your Honorable Body.
Which was received.

~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:
Letter dated August 5, 2013, from the Director of Planning and Community Development requesting to amend the resolution dated June 12, 2012, which authorized a Deferred Payment Repayable Loan to Oaks at Westminster Urban Renewal LLC, in the amount of $1,621,674.00, specifically to increase the total loan amount by $301,500.00, due to change orders related to demolition, framing, and lead based paint remediation, thereby raising the amount of the contract to $1,923,174.00.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the Director of Planning and Community Development requesting to rescind the resolution dated May 14, 2013, which authorized a Defe ·ed Payment Repayable Loan to Parkers Walk Urban Renewal, LLC, in the amount of $571,877.00, due to the failure to receive financial approvals from the State of New Jersey for the balance of the project costs.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the Director of Planning and Community Development requesting to amend Chapter 8.80 of the Code of the City of Elizabeth entitled: Regulation of Vacant & Foreclosing Residential Properties, specifically Section 3.8.80.030 Registration and Section 6.8.80.060 Enforcement and Penalties.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the Director of Planning and Community Development requesting authorization to reallocate $46,730.35 in Community Development Block Grant funds to the Elizabeth Development Company, First Street, Elizabeth, NJ, to administer the On-the-Job Training and Placement Program, through the Elizabethport Presbyterian Center's Family Success Program, to connect adult and dislocated workers in the City with training and employment opportunities.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the Director of Planning and Community Development requesting authorization to reallocate $126,177.26 in Community Development Block Grant funds to the Union County College's Retail Skills Center at the Outlet Collection at Jersey Gardens Mall to help launch a customized employment training and certification program for Elizabeth residents.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the Director of Planning and Community Development requesting authorization to reallocate $11,500.00 in Community Development Block Grant funds for Trinitas Regional Medical Center to install a mid-block handicap accessible crosswalk.
Which was received.

By the Clerk:
Letter dated July 8, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of $10,015.71.
Which was received.

~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:
Letter dated July 8, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of $1,937.50.
Which was received.

By the Clerk:
Letter dated July 8, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of $9,574.97.
Which was received.

By the Clerk:
Letter dated August 2, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of $10,100.14.
Which was received.

By the Clerk:
Letter dated July 24, 2013, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Department of Transportation-Highway Safety Fund Safe Corridors grant to be used for procurement of enforcement equipment and applied to overtime salaries for police officers patrolling Route 1 in Elizabeth in an amount not to exceed $59,150.66.
Which was received.

By the Clerk:
Letter dated July 26, 2013, from the Police Director requesting the establishment of handicapped parking spaces located at 143 Inslee Place, 1st Floor (personalized); 74 Clover Street (personalized); 532 Fourth Avenue (personalized); 124 First Street (personalized); 509 Rahway Avenue, Apt. 2 (personalized); 327 E. Jersey Street (personalized); 112 Front Street (personalized); deletions: 25 Christine Street; 242 Fulton Street; 218 Delaware Street; 426 S. Fifth Street; 900 Grove Street; 405 Elizabeth Avenue; 1445 Concord Place.
Which was received.

By the Clerk:
Letter dated July 30, 2013, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the 2013 State Body Armor Replacement Fund Program to purchase life saving equipment for law enforcement officers.
Which was received.

By the Clerk:
Letter dated August 5, 2013, from the Police Director, on behalf of Hedaya Home Fashions, 1111 Jefferson Avenue, recommending the installation of a loading zone on Virginia Street between the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
Which was received.

By the Clerk:
Letter dated August 6, 2013, from the Police Director requesting to amend Chapter 10.08.10 of the Code of the City of Elizabeth entitled: Four-way stop intersections; specifically to include Pennington Street and Standish Street.
Which was received.

~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:

Receipts dated March 13, and March 28, 2012, for Hehl & Hehl, 370 Chestnut Street, Union, NJ, is requesting a refund of two bonds posted totaling $2,400.00 for the setting of four (4) monuments at 560-596 Bercik Street, 700 Dowd Avenue, 630-640 Dowd Avenue which have been properly set in accordance with the requirements of the NJ Map Filing Law and approval by the Division of Engineering.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated August 27, 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, August 2319, 2013.
Which was received.

By the Clerk:

Letter dated July 8, 2013, from the Chief Financial Officer submitting the City Treasurer's Report of Receipts and disbursements for the month of April, 2013, and Statement of Bank Balances and Investments as of April 30, 2013.
Which was received.

By the Clerk:

Letter dated July 15, 2013, from the Chief Financial Officer submitting the City Treasurer's Report of Receipts and disbursements for the month of May, 2013, and Statement of Bank Balances and Investments as of May 31, 2013.
Which was received.

By the Clerk:

Letter dated July 25, 2013, from the Chief Financial Officer submitting the City Treasurer's Report of Receipts and disbursements for the month of June, 2013, and Statement of Bank Balances and Investments as of June 30, 2013.
Which was received.

By the Clerk:

Minutes: Fair Rental Housing Board meeting held April 17, 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. 4403** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO FURTHER AMEND ORDINANCE NO. 1997 ENTITLED "AN ORDINANCE TO AUTHORIZE A LEASE AGREEMENT FOR THE RENTAL OF THE PARKING LOT ADJACENT TO THE CHURCH OF THE ASSEMBLY OF GOD PORTUGUESE MINISTRY OF ELIZABETH, INC., LOCATED AT 1123-1131 DICKINSON STREET, ELIZABETH, NEW JERSEY, FOR THE TERM OF ONE YEAR, WITH OPTIONS TO RENEW FOR SUCCESSIVE TERMS OF ONE YEAR EACH, TO BE UTILIZED AS A PARKING LOT FOR MUNICIPAL EMPLOYEES DURING NORMAL BUSINESS HOURS" AS AMENDED, SPECIFICALLY TO EXTEND THE LEASE TERM FROM SEPTEMBER 1, 2013 TO AUGUST 31, 2015, FOR THE NOMINAL CONSIDERATION OF ONE DOLLAR ($1.00) PER YEAR.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4404** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ACCESS USE AGREEMENT WITH THE COUNTY OF UNION BETWEEN BRIDGE STEET AND SOUTH STREET TO CONSTRUCT AND MAINTAIN THE RIVER TRAIL PHASE II FOR A TWENTY (20) YEAR PERIOD.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4405** , which was seconded by Councilman Gonzalez, entitled:

STATE FISCAL YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted],
Torres, Gonzalez, Keenan, Cedeno, Mazza,
and President Gallman - ~~9~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4406** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AMEND SECTION 8.80 OF THE CODE
OF THE CITY OF ELIZABETH ENTITLED "REGISTRATION
OF VACANT AND/OR FORECLOSING PROPERTIES,"SPECIFICALLY
REGARDING REGISTRATION,ENFORCEMENT AND PENALTIES".

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted],
Torres, Gonzalez, Keenan, Cedeno, Mazza,
and President Gallman - ~~9~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4407** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AMEND CHAPTER 10.08.010 OF THE CODE OF THE CITY OF ELIZABETH, ENTITLED "FOUR-WAY STOP INTERSECTIONS", SPECIFICALLY TO DESIGNATE PENNINGTON STREET AND STANDISH STREET AS A FOUR-WAY STOP INTERSECTION.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4408** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BARBARA A. RUSSO, 532 FOURTH AVENUE, ELIZABETH, NEW JERSEY 07202.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4409** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR LOUIS Z. LIVSEY, 124 FIRST STREET, ELIZABETH, NEW JERSEY 07208.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grover~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4410** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR HECTOR L. TORRES, 327 E. JERSEY STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grover~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4411** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR NORMA L. GILLIAM, 112 FRONT STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4412** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR EMMANUEL TURCIOS, 548 MARSHALL STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4413** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR AGOSTINO F. ALMEIDA, 143 INSLEE PLACE, FIRST FLOOR, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grover,~~ Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~7~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4414** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR VINCENZIA FOTI, 74 CLOVER STREET, ELIZABETH, NJ 07202.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grover,~~ Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~7~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4415** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4288, ADOPTED ON FEBRUARY 28, 2012, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR CARLOS A. RIVAS, 25 CHRISTINE STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grove,~~ Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~7~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4416** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3999, ADOPTED ON OCTOBER 28, 2008, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR GLORIA LOPEZ, 242 FULTON STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grove,~~ Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~7~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4417** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4139, ADOPTED ON JUNE 22, 2010, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JOSE F. SIERRA, 218 DELAWARE STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4418** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4215, ADOPTED ON MAY 10, 2011, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR STUART ROBLES, 426 SOUTH FIFTH STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4419** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4275, ADOPTED ON JANUARY 10, 2012, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ROBERT GORSKI, 900 GROVE STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gallman announced that public notice will be published fixing Tuesday, September 10, 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. 4403 through 4419, adopted on first reading.

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4420** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENGINEERING AND CONSTRUCTION COSTS FOR THE ELIZABETH RIVER FLOOD CONTROL PROJECT FOR THE CITY OF ELIZABETH AND APPROPRIATING $7,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $7,125,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grova~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~9~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4421** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE RECONSTRUCTION OF A FIRE HOUSE IN THE CITY OF ELIZABETH AND APPROPRIATING $3,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $3,040,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

Council President Gallman announced that the residents in the area of Catherine Street lost the firehouse on Catherine Street. He continued that the Administration is in the process of having a new firehouse built. He stated further that he stood strong and a new building will be built, so he asked his colleagues for their support.

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~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4422** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY APPROPRIATING THE AMOUNT OF $20,000,000 FOR HURRICANE SANDY RELATED WATERFRONT IMPROVEMENTS IN AND FOR THE CITY OF ELIZABETH AND AUTHORIZING THE ISSUANCE OF $20,000,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

Councilman Gonzalez announced that he is elated to hear that the City will be reimbursed 90% of the cost of the repair from FEMA.

Council President Gallman announced that individuals have asked when will it be rebuilt, so he is pleased to support this.

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~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4423** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF ELIZABETH RIVER TRAIL PHASE 2 IN THE CITY OF ELIZABETH AND APPROPRIATING $1,600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,520,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME .

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grova,~~ Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~9~~ 8

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4424** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENVIRONMENTAL ENGINEERING AND REGULATORY COMPLIANCE SERVICES FOR THE CITY OF ELIZABETH AND APPROPRIATING $800,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $760,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grova~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~7~~ 8

NEGATIVE: None

Council President Gallman announced that public notice will be published fixing Tuesday, September 24, 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. 4420, 4421, 4422, 4423, and 4424, 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. 4398**, which was seconded by Councilman Gonzalez.

AN ORDINANCE TO RESCIND ORDINANCE NO. 4094, ADOPTED ON JANUARY 12, 2010, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE JOSEPH CORTES CEDENO, 601 THIRD AVENUE, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 4094 is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **July 23, 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 **August 19, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4399**, which was seconded by Councilman Gonzalez:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3487, ADOPTED ON JANUARY 28, 2003, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR MERCEDES DELATE, 926 ½ SOUTH STREET,ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 3487 is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **July 23, 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 **August 19, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4400** , which was seconded by Councilman Gonzalez:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3798, ADOPTED ON FEBRUARY 28, 2006, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR SANDRA M. MAYERS-ALLMOND, 917 MCLAIN STREET, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 3798 is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **July 23, 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 **August 19, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4401**, which was seconded by Councilman Gonzalez:

AN ORDINANCE RESCINDING ORDINANCE NUMBER 4332 APPROVING A PAYMENT IN LIEU OF TAXES (PILOT) FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION WITH E'PORT FAMILY HOMES URBAN RENEWAL, L.P. FOR CONSTRUCTION OF A SCATTERED SITE NEW CONSTRUCTION DEVELOPMENT LOCATED AT 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372 AND 112); 212-214 THIRD STREET (BLOCK 3, LOT 1023) AND 200-206 THIRD STREET (BLOCK 1, LOT 1026), ELIZABETH, NEW JERSEY

WHEREAS, on October 9, 2012, the City Council of Elizabeth adopted Ordinance Number 4332 approving a tax exemption application and authorizing the Mayor to enter into a financial agreement with E'Port Family Homes Urban Renewal L. P., with regard to same on properties located at 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372 AND 112); 212-214 THIRD STREET (BLOCK 3, LOT 1023) AND 200-206 THIRD STREET (BLOCK 1, LOT 1026), (the Properties) ELIZABETH, NEW JERSEY and;

WHEREAS, a financial agreement was entered into between the City and E'Port Family Homes Urban Renewal L. P on December 20, 2012; and

WHEREAS, E'Port Family Homes Urban Renewal L. P has advised the City that the proposed project is no longer feasible due to loss of certain funding; and,

WHEREAS, the financial agreement has not yet become effective since construction has never been started; and,

WHEREAS, E'Port Family Homes Urban Renewal L. P, has requested that the executed financial agreement be rescinded in anticipation of a new application for a tax exemption for a scaled down project to consist of a single site new construction project;

Now therefore be it ordained by the City Council of the City of Elizabeth:

SECTION 1. Ordinance Number 4332 approving an application for a long term tax exemption on properties located at 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372 AND 112); 212-214 THIRD STREET (BLOCK 3, LOT 1023) AND 200-206 THIRD STREET (BLOCK 1, LOT 1026) and authorizing the Mayor to enter into a financial agreement with E'Port Family Homes Urban Renewal L. P regarding said tax exemption is hereby rescinded.

SECTION 2. The Payment in Lieu of Taxes (PILOT) Financial Agreement negotiated between the City of Elizabeth and E'Port Family Homes, L.P., for the above properties is hereby rescinded.

SECTION 3. The Mayor of the City of Elizabeth is hereby authorized to execute any and all documents necessary to rescind the Financial Agreement.

SECTION 4. All prior ordinances inconsistent with this ordinance shall be deemed to have been repealed by this ordinance.

SECTION 5. This ordinance shall not take effect until twenty days after its passage by City Council and signing by the Mayor of the City of Elizabeth.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **July 23, 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 **August 19, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4402**, which was seconded by Councilman Gonzalez:

AN ORDINANCE APPROVING A PAYMENT IN LIEU OF TAXES (PILOT) FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION WITH E'PORT FAMILY HOMES URBAN RENEWAL, L.P. FOR A NEW CONSTRUCTION DEVELOPMENT LOCATED AT 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372) AND 106 COURT STREET (BLOCK 2, LOT 112) ELIZABETH, NEW JERSEY

WHEREAS, the City of Elizabeth has adopted a Redevelopment Plan which includes properties located at 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372) and 106 COURT STREET (Block 2, Lot 112) (the Properties) ELIZABETH, NEW JERSEY and;

WHEREAS, improvements within the area covered by the Redevelopment Plan may qualify for long term tax exemptions under the Long Term Tax Exemption Statute, (N.J.S.A 40A:20-1, et seq.); and,

WHEREAS, the Housing Authority of the City of Elizabeth is the owner of the properties and will convey the properties to E'PORT FAMILY HOMES URBAN RENEWAL, L.P., (the Entity), which is located at 688 Maple Avenue, Elizabeth, New Jersey; and

WHEREAS, the project consist of a new construction development that will revitalize the commercial corridor along First Street including 36 multifamily units for low income families between 50% and 60% average median income and that the unit mix will include one- and two-bedroom units and will include parking at a 0.88:1 ratio. The proposed Project will include one five-story building.

WHEREAS, the Project will conform to the Redevelopment plan and all applicable municipal zoning ordinances relevant to the Project and will conform to the master plan of the City of Elizabeth; and,

WHEREAS, the provisions of the New Jersey Long Term Tax Exemption Statute (NJSA 40A:20-1, et seq.) authorize the City to enter into a financial agreement to accept an Annual Service Charge in lieu of real property taxes to be paid by the entity; and,

WHEREAS, the Entity has filed an application for approval of the Project including a proposed Financial Agreement, which is on file in the office of the City Clerk of Elizabeth,; and,

WHEREAS, the proposed Financial Agreement provides for an Annual Service Charge to be based on a percentage of annual gross revenues; and,

WHEREAS, the Annual Service Charge will be in an amount not less than the Minimum Annual Service Charge, which is $17,907.22, as provided by statute, and

WHEREAS, such Financial Agreement adequately sets forth the terms and conditions of the agreement between the parties; and,

WHEREAS, the Mayor together with counsel for the City has reviewed the proposed application and agreement and has recommended that it be approved; and,

WHEREAS, construction of the Project is expected to create the following jobs: Professional Services-12; Construction Trades-15; Laborers-10; Security-2; Administrative/Other-6; and,

WHEREAS, the Project is expected to create the following permanent jobs: Property Management-2; Social Services-2; Maintenance Trades-1; Professional Services-1; Security-1; Administrative/Other-1; and,

WHEREAS, the City Council finds that the relative benefits of the Project to the City and the redevelopment area outweigh the associated costs of granting a tax abatement; and,

WHEREAS, the City Council has determined that the assistance provided by the Tax Exemption is a significant inducement for the entity to create the Project and fulfill a need for low-income housing in the City of Elizabeth;

Now therefore be it ordained by the City Council of the City of Elizabeth:

SECTION 1. The Application by the Entity is approved.

SECTION 2. The Payment in Lieu of Taxes (PILOT) Financial Agreement negotiated between the City of Elizabeth and E'Port Family Homes, L.P., for the properties located at 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372 AND 106 COURT STREET (BLOCK2, Lot 112), which agreement is on file with the City Clerk, is hereby approved.

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

SECTION 4. The City Clerk is authorized to attest to the signature of the Mayor and affix the corporate seal of the City to the agreement.

SECTION 5. The City Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the City and with the Director of the Division of Local Government Services within the Department of Community Affairs.

SECTION 6. All prior ordinances inconsistent with this ordinance shall be deemed to have been repealed by this ordinance.

SECTION 7. This ordinance shall not take effect until twenty days after its passage by City Council and signing by the Mayor of the City of Elizabeth.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **July 23, 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 **August 19, 2013.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grover~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~9~~ 8

NEGATIVE: None

City of Elizabeth

CAPITAL BUDGET

2014 SFY

Amendment

Whereas, it is desired to amend the Fiscal Year 2014 Capital Budget,

Now, Therefore Be It Resolved, by the City Council of the City of Elizabeth, County of Union, that the following projects constitute a part of the capital budget section of the Fiscal Year 2014 Capital Budget .

Recorded vote:

AYES (

NAYS: (

ABSENT: (

NEW BUSINESS

6 YEAR CAPITAL PROGRAM FY2014 TO FY2019

PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2014

Local Unit CITY OF ELIZABETH

1	2	3	4	PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2014					6
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	AMOUNTS RESERVED IN PRIOR YEARS	5a FY2014 BUDGET APPROPRIATION	5b CAPITAL IMPROVEMENT FUND	5c Capital Surplus	5d Grants-in-Aid and Other Funds	5e Debt Authorized	TO BE FUNDED IN FUTURE YEARS
Waterfront Reconstruction (Sandy)		20,000,000.00						20,000,000.00	
Fire House		3,200,000.00			160,000.00			3,040,000.00	
Elizabeth River Walkway		1,600,000.00			80,000.00			1,520,000.00	
Environmental Engineering		80,000.00			4,000.00			76,000.00	
Elizabeth River Flood Control		7,500,000.00						7,500,000.00	
Totals - All Projects		32,380,000.00			244,000.00			32,136,000.00	

6 YEAR CAPITAL PROGRAM FY2014 TO FY2019
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Local Unit CITY OF ELIZABETH

1	2	3	4	FUNDING AMOUNTS PER BUDGET YEAR					
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	5a FY2014	5b FY2015	5c FY2016	5d FY2017	5e FY2018	5f FY2019
Waterfront Reconstruction (Sandy)		20,000,000.00		20,000,000.00					
Fire House		3,200,000.00		3,200,000.00					
Elizabeth River Walkway		1,600,000.00		1,600,000.00					
Environmental Engineering		80,000.00		80,000.00					
Elizabeth River Flood Control		7,500,000.00		7,500,000.00					
Totals - All Projects		32,380,000.00		32,380,000.00					

6 YEAR CAPITAL PROGRAM FY2014 TO FY2019

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit CITY OF ELIZABETH

1	2	BUDGET APPROPRIATION		4	5		BONDS AND NOTES			
PROJECT TITLE	ESTIMATED TOTAL COST	3a Current Year FY2014	3b Future Years	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS-IN-AID AND OTHER FUNDS	7a General	7b Self Liquidating	7c Assessment	7d School
Waterfront Reconstruction (Sandy)	20,000,000.00	20,000,000.00					20,000,000.00			
Fire House	3,200,000.00	3,200,000.00		160,000.00			3,040,000.00			
Elizabeth River Walkway	1,600,000.00	1,600,000.00		80,000.00			1,520,000.00			
Environmental Engineering	80,000.00	80,000.00					80,000.00			
Elizabeth River Flood Control	7,500,000.00	7,500,000.00						7,500,000.00		
Totals - All Projects	32,380,000.00	32,380,000.00		240,000.00			24,640,000.00	7,500,000.00		

Which was adopted by the following vote:

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

NEGATIVE: None

MIDTOWN ELIZABETH SPECIAL IMPROVEMENT DISTRICT BUDGET NOTICE

Midtown Elizabeth Special Improvement District of the City of Elizabeth, County of Union, for the calendar year 2013.

BE IT RESOLVED that the following statements of revenue and appropriations shall constitute the Midtown Elizabeth Special Improvement District Budget for the calendar year 2013.

BE IT FURTHER RESOLVED that said Budget be published in The Star-Ledger in the issue of August 16, 2013.

NOW THEREFORE, BE IT RESOLVED that the governing body of the City of Elizabeth does hereby approve the following as the Midtown Elizabeth Special Improvement District Budget for 2013.

Recorded vote:

AYES [redacted]

NAYS: [redacted]

Absent: [redacted]

Notice is hereby given that the Midtown Elizabeth Special Improvement District Budget was approved by the City Council of the City of Elizabeth, County of Union, on July 23, 2013

A hearing on said budget will be held at Elizabeth City Hall on August 27, 2013, at 7:30 P.M. at which time and place objections to said Budget for the year 2013 may be presented by Midtown Elizabeth Special Improvement District taxpayers or other interested persons.

REVENUES	
Surplus Anticipated	$0.00
UEZ Funds	$57,059.00
Miscellaneous	$15,000.00
Amount to be Raised by Special Improvement District	$200,000.00
Total Revenues	$272,059.00

APPROPRIATIONS	
Promotions & Marketing	$16,100.00
Safe and Clean	$28,009.00
Administration & Operations	$227,950.00
Total Appropriations	$272,059.00

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION OF THE CITY OF ELIZABETH,
IN THE COUNTY OF UNION, NEW JERSEY
MAKING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:2-11(c) and N.J.S.A. 40A:2-7(d)

WHEREAS, THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY (the "City"), desires to make application to the Local Finance Board for the Board's consent to the waiver of a down payment pursuant to N.J.S.A. 40A:2-7(d) and 11(c) for a bond ordinance for waterfront improvements required by Hurricane Sandy; and

WHEREAS, the City believes:

(a) it is in the public interest to accomplish such purpose;

(b) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the City;

(c) the amounts to be expended for said purpose are not unreasonable or exorbitant; and

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City.

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

Section 1. The application to the Local Finance Board is hereby approved, and the City's Chief Financial Officer and Bond Counsel and the Clerk of the City, along with other representatives of the City, are hereby authorized to prepare such application and to represent the City in matters pertaining thereto (including any related matters which may arise in the course of the Local Finance Board's review of the application).

Section 2. The Clerk of the City of Elizabeth is hereby directed to file a copy of this Resolution and a copy of the proposed bond ordinances as passed upon first reading with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute and to cause its consent to be endorsed upon the bond ordinance.

Which was adopted by the following vote:

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

NEGATIVE: None

August 27, 2012

By City Council as a Whole:

WHEREAS an emergent condition has arisen with respect to the need for payment of certain bills before the adoption of the FY 2014 budget , and no adequate provision has been made in the Fiscal Year 2014 appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency resolutions adopted for the Fiscal Year 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total $62,578,713.07, now therefore be it

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

1. An emergency appropriation be and the same is hereby made for and said emergency appropriations will be provided in the FY 2014 budget under the titles of:

	Description	Salaries and Wages	Other Expenses
	Grants:		
	Summer Food Service		279,478.57
	STD	22,670.00	
	Municipal Court Alcohol Ed. Rehab. Enforcement	7,705.10	
	Workforce Investment Act Employment Program	60,000.00	
	Workforce Investment Act Employment Program-Local	15,000.00	
	Highway Safety Fund Safe Corridors Act		59,150.66
	Pedestrian Safety Grant	10,400.00	
	subtotal	115,775.10	338,629.23
	TOTAL		454,404.33

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Division of Local Government Services in compliance with the Appropriations Act (P.L. 2011, c.85) requires that the Honorable City Council approve all payments related to accumulated/uncompensated absence benefits; and

WHEREAS, at August 1, 2013, the following employee's are entitled to the payment of accumulated/uncompensated absence benefits;

Barbara Russo $13,888.34

; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elizabeth hereby approves the payments for accumulated/uncompensated absence benefits to the following employee's;

Barbara Russo $13,888.34

; and

FURTHER RESOLVED, that a certified copy of this resolution be recorded in full upon the minutes of City Council.

Rs_Best Practices_Accumulated Absences_8-27-13

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted] Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~9~~ 8

NEGATIVE: None

Councilwoman Perkins-Auguste **MOTIONED to REMOVE** from the **TABLE** a resolution (Tabled July 23, 2013), seconded by Councilman Gonzalez,

Which was carried unanimously .

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City of Elizabeth is desirous of engaging **Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Suite 206, Marlton, New Jersey 08053** to provide Financial Advisory Services to the City of Elizabeth in connection with the City's issuance of debt obligations through the New Jersey Environmental Infrastructure Trust and any other related financial analysis deemed necessary (collectively, the "Financial Advisory Services") for the period July 1, 2013 to June 30, 2014; and

WHEREAS, the Chief Financial Officer has recommended that a contract be awarded to **Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Suite 206, Marlton, New Jersey 08053** for this purpose in an amount not to exceed $40,000.00; and

WHEREAS, the scope of services provided will be in accordance with Schedule 1 attached hereto and made a part hereof; and

WHEREAS, compensation will be in accordance with Schedule 2 attached hereto and made a part hereof; and

WHEREAS, this contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et seq.; 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 order, and said execution is to be made just before this City incurs a contractual liability on its part; and

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

RESOLVED by the City Council of the City of Elizabeth that a contract be awarded to **Acacia Financial Group, Inc., Four Greentree Centre, 13000 Lincoln Drive West, Suite 206, Marlton, New Jersey 08053** to provide the services set forth in Schedule 1 and in accordance with the compensation set forth in Schedule 2; and be it

Further Resolved that 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 Acacia Financial Group, Inc. is an entity whose practice is authorized and regulated by law and exempted by the provisions of the Local Public Contracts Law, and

Further Resolved that a Notice of this action should be printed once in the Star Ledger.

NOTE: The referenced Schedule 1 and Schedule 2 are on file in the City Clerk's Office.

Which was adopted by the following vote:

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

NEGATIVE: None

43

Councilwoman Perkins-Auguste **MOTIONED to REMOVE** from the **TABLE** a resolution (Tabled July 23, 2013), seconded by Councilman Gonzalez,

Which was carried unanimously .

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City of Elizabeth is desirous of engaging **Powell Capital Markets, 280 Corporate Center, 3 Becker Farm Road, Roseland, New Jersey 07068-1745** to provide Financial Advisory Services to the City of Elizabeth in connection with the City's issuance of municipal and general sewer debt obligations and any other financial analysis necessary (collectively, the "Financial Advisory Services") for the period July 1, 2013 to June 30, 2014; and

WHEREAS, the Chief Financial Officer has recommended that a contract be awarded to **Powell Capital Markets, 280 Corporate Center, 3 Becker Farm Road, Roseland, New Jersey 07068-1745** for this purpose in an amount not to exceed $40,000.00; and

WHEREAS, the scope of services provided will be in accordance with Schedule 1 attached hereto and made a part hereof; and

WHEREAS, compensation will be in accordance with Schedule 2 attached hereto and made a part hereof; and

WHEREAS, this contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et seq.; 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 order, and said execution is to be made just before the City incurs a contractual liability on its part; and

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

RESOLVED by the City Council of the City of Elizabeth that a contract be awarded to **Powell Capital Markets, 280 Corporate Center, 3 Becker Farm Road, Roseland, New Jersey 07068-1745** to provide the services set forth in Schedule 1 and in accordance with the compensation set forth in Schedule 2; and be it

Further Resolved that 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 Powell Financial Markets, Inc. is an entity whose practice is authorized and regulated by law and exempted by the provisions of the Local Public Contracts Law, and

Further Resolved that a Notice of this action should be printed once in the Star Ledger

NOTE: The referenced Schedule 1 and Schedule 2 are on file in the City Clerk's Office.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Cleva~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~7~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and Purchasing Agent have requested authorization in accordance with **NJAC** 5:34 and pursuant to **N.J.S.A.** 40A:11-5 (2) to award a contract to **W. B. Mason Co., Inc., 535 Secaucus Rd., Secaucus, NJ 07094 and Paterson Papers, 730 Madison Ave., Paterson, NJ 07509,** for the purchase of Office Supplies under the Morris County Cooperative Purchasing Contract #30 in the amount not to exceed $40,000.00 for the period of July 1, 2013 through June 30, 2014; and

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

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

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **W. B. Mason Co., Inc., 535 Secaucus Rd., Secaucus, NJ 07094 and Paterson Papers, 730 Madison Ave., Paterson, NJ 07509,** for the purchase of Office Supplies under the Morris County Cooperative Purchasing Contract #30 in the amount not to exceed $40,000.00 for the period of July 1, 213 through

June 30, 2014.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted], Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~1~~ 8

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 an award of a contract to **Bayway Lumber, 400 Ashton Avenue, Linden, New Jersey 07036,** for the purchase of Lumber and Associated Materials for various departments at a cost not to exceed $50,000.00 for the period of July 1, 2013 through June 30, 2014 under the Morris County Cooperative Purchasing Contract #10; and

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

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

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **Bayway Lumber, 400 Ashton Avenue, Linden, New Jersey 07036,** for the purchase of Lumber and Associated Materials for various departments at a cost not to exceed $50,000.00 for the period of July 1, 2013 through June 30, 2014 under the Morris County Cooperative Purchasing Contract #10.

Which was adopted by the following vote:

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

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 an 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 $50,000.00 for the period of July 1, 2013 through June 30, 2014 under the Morris County Cooperative Purchasing Contract #10; and

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

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

RESOLVED that the City Council of the City of Elizabeth authorizes 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 $50,000.00 for the period of July 1, 2013 through June 30, 2014 under the Morris County Cooperative Purchasing Contract #10.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent per the request of the Municipal Clerk have requested authorization to award a contract to **ROYAL PRINTING SERVICE, P. O. BOX 547, West New York, New Jersey 07093,** to purchase election ballots the amount of $38,215.00; and

WHEREAS, this contract has been awarded by a Fair and Open Process by the County of Union; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00132 charging the amount of $38,215.00 to Account No. 3-01-20-120-PRI, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **ROYAL PRINTING SERVICE, P. O. BOX 547, West New York, New Jersey 07093,** to purchase election ballots the amount of $38,215.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grover~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - X8

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 a renewal of a contract with **Highway Service Corp., 548 Trumbull Street, Elizabeth, New Jersey 07206,** for the furnishing of Towing and Road Service for Municipal Vehicles for a period of one year commencing September 13, 2013 through September 12, 2014 under the same terms and conditions as the current contract; and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter **2.92.010** of the Code of the City of Elizabeth have been previously complied with by **Highway Service Corp.,** now, therefore, be it ,

RESOLVED that the City Council of the City of Elizabeth authorizes the renewal of the contract with **Highway Service Corp., 548 Trumbull Street, Elizabeth, New Jersey 07206,** for the furnishing of Towing and Road Service for Municipal Vehicles for a period of one year commencing September 13, 2013 through September 12, 2014 under the same terms and conditions as the current contract.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested permission per the request of the Fire Director to sell the 1989 Federal Motors E-One Hurricane Pumper, VIN #46JKBAA89K1002862 to the Union County Fire Academy in the amount of One-Dollar ($1.00); and

WHEREAS, the apparatus has no value except for scrap; and

WHEREAS, based on age, mileage and condition, the Fire Officials and City Mechanics have determined that the apparatus is no longer road worthy. In addition, the apparatus has no value except for scrap; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the sale of the 1989 Federal Motors Hurricane Pumper, VIN #46JKBAA89K1002862 to the Union County Fire Academy in the amount of One-Dollar($1.00).

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent the award of a contract to **MOTOROLA COMMUNICATIONS & ELECTRONICS INC., PO BOX 161, Wharton, NJ 07785**, for the purchase of Communications Equipment and Accessories for various departments for the period of June 1, 2013 through May 31, 2014 at a cost not to exceed $50,000.00 under State Contract #83909; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #83909, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **MOTOROLA COMMUNICATIONS & ELECTRONICS INC., PO BOX 161, Wharton, NJ 07785**, for the purchase of Communications Equipment and Accessories for various departments for the period of June 1, 2013 through May 31, 2014 at a cost not to exceed $50,000.00 under State Contract #83909.

Which was adopted by the following vote:

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

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 Department an award of a contract to **MARTURANO RECREATION CO., INC., PO BOX 106, Spring Lake, NJ 07762**, for the purchase of Site Amenities for the O'Brien Park Playground at a total cost of $137,923.49 under State Contract No. A81411; 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 New Jersey, Department of Community Affairs, Division of Local Government Services; and

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. A81411 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 **MARTURANO RECREATION CO., INC., PO BOX 106, Spring Lake, NJ 07762**, for the purchase of Site Amenities for the O'Brien Park Playground at a total cost of $137,923.49 under State Contract No. A81411.

Which was adopted by the following vote:

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

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 Department an award of a contract to **MARTURANO RECREATION CO., INC., PO BOX, 106 Spring Lake, NJ 07762**, for the purchase of Playground Equipment for Holland Park at a total cost of $40,000.00 under State Contract No. 81411; 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 New Jersey, Department of Community Affairs, Division of Local Government Services; and

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. A81411 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 **MARTURANO RECREATION CO., INC., PO BOX 106, Spring Lake, NJ 07762**, for the purchase of Playground Equipment for Holland Park at a total cost of $40,000.00 under State Contract No. 81411.

Council President Gallman stated that he is working hard to have the skateboard park opened. He continued that it is hard to keep the children out of the park, but it is great to see the kids there. He stated further that this is money well spent and it is going to help to keep the children off the street.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested authorization for the proper City Officials to enter into and execute a Shared Services Agreement by and between the City of Elizabeth and the County, of Union for utilizing services offered by the Union County printing and signage shops for the City's own needs in conducting in house business, advertising and informational purposes; now, therefore, be it

RESOLVED that the City Council authorizes the proper City Officials to enter into and execute a Shared Services Agreement by and between the City of Elizabeth, the County of Union for utilizing services offered by the Union County printing and signage shops for the City's own needs in conducting in house business, advertising and informational purposes.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted] Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~9~~ 8

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 Fire Department an award of a contract to **WIRELESS COMMUNICATIONS & ELECTRONICS, 153 Cooper Road, West Berlin, New Jersey 08091,** for the purchase of Computers and Computer Accessories for the Fire Department for the period of July 1, 2013 through August 31, 2014 at a cost not to exceed $50,000.00 under State Contract No. 75583; 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 New Jersey, Department of Community Affairs, Division of Local Government Services; and

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 75583 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 **WIRELESS COMMUNICATIONS & ELECTRONICS, 153 Cooper Road, West Berlin, New Jersey 08091,** for the purchase of Computers and Computer Accessories for the Fire Department for the period of July 1, 2013 through August 31, 2014 at a cost not to exceed $50,000.00 under State Contract No. 75583.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract per the request of the Director of the Police Department to **Firefighter One Limited, 26 Gail Court, Suite 1, Sparta, NJ 07871**, for the purchase of Interface, the New Radio System for Emergency Services at a total cost of $40,880.70 under State Contract #A81357; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-10082, charging the amount of $40,880.70 to Account No. 3-01-25-240-POL-307, 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 #A81357 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 **Firefighter One Limited, 26 Gail Court, Suite 1, Sparta, NJ 07871**, for the purchase of Interface, the New Radio System for Emergency Services at a total cost of $40,880.70 under State Contract #A81357.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agents have requested and concur with the Fire Department Director to award a contract to **Pierce Manufacturing, Inc, 2600 American Way, Appleton, WI 54913,** for the alterations to One (1) Pierce Pumper Engine #6 in the total amount of $6,383.00; and

WHEREAS, this request meets the requirements of the Non-Fair and Open Process for the following reasons:

1. The Purchasing Agent has certified that the aggregated contract has a value in excess of $17,500.00.
2. Pierce Manufacturing, Inc. has filed a disclosure from certifying that no reportable contribution was made during the previous year.
3. The contract contains a requirements prohibiting reportable contributions from being made during the term of the contract; and

WHEREAS, in satisfaction of the Non-Fair and Open Pay to Play Law, the Political Contribution Disclosure Statement a C.271 Political Contributions and a Stockholder Disclosure Statement are on file in the Office of the Purchasing Agent for ten days prior to the award of the contract.

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00367, charging the amount of $6,383.00 to Account No. 3-01-25-265-fir-306, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the city of Elizabeth authorizes the award of a contract to **Pierce Manufacturing, Inc, 2600 American Way, Appleton, WI 54913,** for the alterations to One (1) Pierce Pumper Engine #6 for the Elizabeth Fire Department in the total amount of $6,383.00

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Grove~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~7~~ 8

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 an award of a contract to **ATLANTIC UNIFORM CO., INC., 65 Market Street, Newark, New Jersey 07102**, for the purchase of uniforms, helmets and other equipment for the Police Department during the period of May 1, 2013 to April 30, 2014 at a cost of $50,000.00 under State Contract No. 81348; 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 New Jersey, Department of Community Affairs, Division of Local Government Services; and

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 81348 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **ATLANTIC UNIFORM CO., INC., 65 Market Street, Newark, New Jersey 07102**, for the purchase of uniforms, helmets and other equipment for the Police Department during the period of May 1, 2013 to April 30, 2014 at a cost of $50,000.00 under State Contract No. 81348.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there is a need for a Public Officials Bond covering the Municipal Court Judges and the entire Municipal Court Personnel; and

WHEREAS, the Business Administrator has requested authorization to award a contract to **Western Surety Bond Company, Sioux Falls, SD 57117-5077 through Hughes-Plumer Associates, Inc.**, covering the Public Officials Bond for the Municipal Court Judges and the entire Municipal Court Personnel, at the annual premium of $1,565.00. The term of the policy is September 1, 2013 to September 1, 2014; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-01149, charging the amount of $1,565.00 to Account Number 4-01-23-210-INS of the Municipal Budget, is on file in the Office of the City Clerk; and

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

WHEREAS, the Business Administrator has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth, New Jersey as follows:

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement with **Western Surety Bond Company, Sioux Falls, SD 57117-5077 through Hughes-Plumer Associates, Inc.**, covering the Public Officials Bond for the Municipal Court Judges and the entire Municipal Court Personnel, at the annual premium of $1,565.00. The term of the policy is September 1, 2013 to September 1, 2014.

2. Quotations were not solicited for this contract because it was determined that the above company is currently providing this service to the City of Elizabeth. This recommendation to award the contract is being made because this proposal offers a continuation of the present insurance for the purpose stated above.

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

4. This cannot be described by written specifications because of the special nature of the services as described above.

5. A notice of this action shall be published 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~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, sealed bids were received and opened by the Purchasing Agent on July 30, 2013 for the furnishing of Painting of public buildings for the Department of Public Buildings for a period of two years from the date of award; and

WHEREAS, the Business Administrator, Purchasing Agent and the Director of the Department of Public Works has advised and concur that the low qualified bid meets the specifications and that all Statutory requirements have been met; and

WHEREAS, the Business Administrator, Purchasing Agent and the Director of the Department of Public Works have requested the award of a contract to **A.N.A. Painting Corp., 172 Linden Street, Hackensack, NJ 07601**, in an amount not to exceed $100,000.00 per year for a total of $200,000.00 for a two-year period commencing from the date of award; and

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

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

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to the **A.N.A. Painting Corp., 172 Linden Street, Hackensack, NJ 07601,** for the furnishing of Painting of public buildings for the Department of Public Buildings in an amount not to exceed $100,000.00 per year for a total of $200,000.00 for a two-year period commencing from the date of award.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that sealed **bids** were received and opened on July 30, 2013 by the Purchasing Agent on behalf of the Fire Department with regard to the FY 13 furnishing and conversion of Two 2013 or Current Model year Chevrolet Suburban Fleet Commercial Packages or Equivalent; and

WHEREAS, the Business Administrator has advised and concurs with the Fire Department and request the award of a contract to **First Priority Emergency Vehicles, 244 Ridgeway Blvd., Manchester, NJ 08759**, for two (2) 2013 or current model year Chevrolet Suburban Fleet Commercial Packages or equivalent for the Fire Department in the total amount of $142,600.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification No. 14-00984 charging the amount of $ 14,600.00 to Account No. 3-01-25-265-UFS-362 and Certification No. 14-00985, charging the amount of $75,000.00 to Account No. X-04-55-999-X47-001; and Certification No. 14-00986, charging the amount of $53,000.00, to Account No. 3-01-25-265-FIR-362 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to **First Priority Emergency Vehicles, 244 Ridgeway Blvd., Manchester, NJ 08759**, for two (2) 2013 or current model year Chevrolet Suburban Fleet Commercial Packages or equivalent for the Fire Department in the amount of $142,600.00.

Which was adopted by the following vote:

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

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 an award of a contract to **INDEPENDENCE CONSTRUCTORS, 1200 ROUTE 22 EAST, BRIDGEWATER, NEW JERSEY 08807,** for Cleaning, Inspections, Monitoring of Oil/Water Separators, Above and Underground Tanks at Various Locations and DEP Compliance for the period of August 1, 2013 through November 30, 2013 at a cost not to exceed $50,000.00 under State Contract # A75553; 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 New Jersey, Department of Community Affairs, Division of Local Government Services; and

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. A75553 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 **INDEPENDENCE CONSTRUCTORS, 1200 ROUTE 22 EAST, BRIDGEWATER, NEW JERSEY 08807,** for Cleaning, Inspections, Monitoring of Oil/Water Separators, Above and Underground Tanks at Various Locations and DEP Compliance for the period of August 1, 2013 through November 30, 2013 at a cost not to exceed $50,000.00 under State Contract #. A75553.

Which was adopted by the following vote:

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

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 an award of a contract to **AAT Communications Systems Corp., 3030 Veterans Road West, Staten Island, NY 10309,** for the purchase of DI Recorder Maintenance Contract & Upgrade to the SDS 24 Digital Channels for the Police Department at a cost of $24,574.20 under State Contract #A83890; 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 New Jersey, Department of Community Affairs, Division of Local Government Services; and

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #A83890 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to to **AAT Communications Systems Corp., 3030 Veterans Road West, Staten Island, NY 10309,** for the purchase of DI Recorder Maintenance Contract & Upgrade to the SDS 24 Digital Channels for the Police Department at a cost of $24,574.20 under State Contract #A83890.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that the Purchasing Agent in concurrence with the Department of Administration has requested authorization to commence the competitive contracting process in order to issue an RFP and select an Energy Services Company (hereinafter "ESCO") to initiate an energy Savings Improvement Plan (hereinafter "ESIP") pursuant to the authority set forth in **N.J.S.A.** 40A:11-4.6; and

WHEREAS, on June 20, 2013, the City received one proposal from a prospective ESCO. After review of the proposal and consultation with the City's Energy consultant, it has been recommended that the City reject the proposal and re-commence the process, with the hope that additional time will result in an increase number of proposals; thus maximizing the value of services to the City; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth rejects the proposal submitted on June 20, 2013 and authorizes the Purchasing Agent, in concurrence with the Department of Administration, to commence the re-competitive contracting process in order to issue an RFP and select an Energy Services Company (hereinafter "ESCO") to initiate an Energy Savings Improvement Plan (hereinafter "ESIP") pursuant to the authority set forth in **N.J.S.A.** 40A:11-4.6.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator of the City of Elizabeth and the Parking Authority of the City of Elizabeth ("PACE) desire to enter into an Intergovernmental Shared Services Agreement which would allow PACE to collaborate with the City and realize savings for public works construction projects by utilizing the City's membership in certain purchasing cooperatives; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the Proper City Officials to enter into and execute an Intergovernmental Shared Services Agreement which would allow PACE to collaborate with the City and realize savings for public works construction projects by utilizing the City's membership in certain purchasing cooperatives.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that the **Elizabeth Police Department ("EPD")** and the **Parking Authority of the City of Elizabeth ("PACE")** desire to enter into an Intergovernmental Agreement which would allow EPD to lease a dedicated area in the James DiBiasio Parking Garage, 210 Jefferson Avenue, which is located in the rear of EPD Headquarters. This agreement will memorialize the following key points:

1. The EPD will receive a dedicated secure area fenced-in area to be utilized by the EPD;
2. The cost of bidding, design, construction and installation of the fencing will be borne by the City; and
3. The City will be responsible maintain the area;

now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the Proper City Officials to enter into and execute an Intergovernmental Agreement with the PACE which would allow the **Elizabeth Police Department (EPD)** to lease a dedicated area in the James DiBiasio Parking Garage, 210 Jefferson Avenue, which is located in the rear of EPD Headquarters. The area to be utilized by the ED will be fenced in and the City would be responsible for the bidding, design, construction and Installation of the fencing will be borne by the City. The City will be responsible to maintaining the area.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the firm of Ascione & Wilson has served as Redevelopment Counsel for the City of Elizabeth since 1993. Based on Ms. Wilson's extensive knowledge of the subject matter, as well as in the City of Elizabeth, the City Attorney has recommended that the City of Elizabeth continue its relationship with Ms. Wilson; and

WHEREAS, the City Attorney has requested the award of a contract to **Janyce Wilson, Esq., 226 St. Paul Street, Westfield, New Jersey 07090,** for Redevelopment Counsel for the period of July 1, 2013 to June 30, 2014, at the rate of $175.00 per hour in an amount not to exceed $90,000.00, unless further authorized by your Honorable Body; and

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

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

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

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

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

WHEREAS, the Law Department has recommended the award of this contract to **Janyce Wilson, Esq.. 226 St. Paul Street, Westfield, New Jersey 07090;** now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized and directed to execute a contract with, **Janyce Wilson., Esq., 226 St. Paul Street, Westfield, New Jersey 07090,** for the purpose of rendering legal services to serve as Redevelopment Counsel for the City of Elizabeth for the period July 1, 2013 through June 30, 2014 at the rate of $175.00 per hour at for an amount not to exceed $90,000.00 without further authorization by your Honorable Body.

2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because **N.J.S.A.** 40A:5-11 exempts from bidding professional services, and the services rendered are to be performed by a person authorized by law to practice a recognized profession and whose profession is regulated by law and which requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction; 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, ~~Grover~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator advised that the Department of Administration has undertaken a two-year study and solicitation of proposals for the replacement of the telecommunications and data network systems for all City facilities. Beyond the importance of replacement or continued maintenance of the archaic technology and infrastructure, it is imperative that any new systems reach beyond the standard for usability, security and redundancy. In the event of an emergency, the City's telecommunications and data network system need to operate at full efficiency so that we will continue to meet the public health, safety and welfare. The system also needs to support the day to day activities of our burgeoning data and telecom needs; and

WHEREAS, the Business Administrator has advised that after a thorough due diligence process, it is hereby recommended that your Honorable Body authorize a five-year lease-to-own Agreement to **RFP Solutions, Inc., 10F Greenwood Avenue, Woodbury, New Jersey 08096**, commencing August 28, 2013, in the amount of $977,552.00 for all equipment, maintenance and service for five years under State Contract #M-7000. At the conclusion of the lease, the system will be purchased for One-Dollar ($1.00); now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **RFP Solutions, Inc., 10F Greenwood Avenue, Woodbury, New Jersey 08096**, commencing August 28, 2013, in the amount of $977,552.00 for all equipment, maintenance and service for five years under State Contract #M-7000. At the conclusion of the lease, the system will be purchased for One-Dollar ($1.00).

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Attorney has advised that Phase II of the Elizabeth River Trail is through property owned by the County of Union between Bridge Street and South Street. It is necessary to do an archeological study before construction in order to satisfy Green Acres requirements. A temporary access agreement is being negotiated with the County in order to give the City's contractor access for the study; now, therefore, be it

RESOLVED that the City Council authorizes the proper City Officials to execute a temporary access agreement with the County for archeological study before construction in order to satisfy Green Acres requirements for the Phase II of the Elizabeth River Trail which is through property owned by the County of Union between Bridge Street and South Street. The terms of the agreement shall meet the approval of the City Attorney and shall include an indemnification provision to hold the County harmless. The contractor will provide appropriate insurance coverage for both the City and the County.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, ~~Grover~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - ~~X~~ 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on July 1, 2013 the City Attorney submitted a letter to your Honorable Body advising that there is a need to retain legal counsel for representation of the City and City employees in litigation where LaCorte, Bundy, Varady & Kinsella, Esqs., have conflicts of interest for the period of July 1, 2013 to June 30, 2014; and

WHEREAS, inadvertently the following attorney was accidentally omitted, please amend the resolution adopted July 23; 2013 to include the following attorney:

Edwin R. Matthews, Esq.
Bourne, Noll & Kenyon
Counsellors at Law
382 Springfield Avenue
Suite 507
P. O. Box 690
Summit, New Jersey 07902-0690

WHEREAS, the rate for these professional services will be on the same basis as contained in the contract with LaCorte, Bundy, Varady & Kinsella.with a cap of $65,000.00; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth amends the resolution adopted July 23, 2013 authorizing the execution of a contract for legal representation in litigation at the same rates as the LaCorte,Bundy, Varady & Kinsella contract with an hourly rate of $175.00 and with a cap of $65,000.00, for the period of July 1, 2013 to June 30, 2014 to include **Edwin R. Matthews, Esq., Bourne, Noll & Kenyon, Counsellors at Law,382 Springfield Avenue, Suite 507, P. O. Box 690, Summit, New Jersey 07902-0690.**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Crowe~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - X8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the following property owner(s) has (have) filed the necessary papers and is (are) entitled to a Senior Citizen (S1) or Disability Deduction (D1), and a Veteran Deduction (V1 & WV) for the 2013 Tax Year and,

WHEREAS, the Tax Assessor has approved same, now therefore, be it

RESOLVED, the Tax Collector is hereby authorized to credit said individual's taxes in the amount of $250.00 (S1 & D1) & $250.00 (V1 & WV) for the 2013 Tax Year as follows.

Acct. No.	Property Location	Name	Ded. Code
7-1234	634-636 S Park St	Smith, J & J	D1
10-693	623-625 Floral Ave	Granada, I	S1
10-1674	861-865 Park Ave	Kefali, M	S1
11-254	1026 Cross Ave	Cruz, R	S1
11-1675	606 Union Ave	Jones, J & A	D1
12-27	584 Adams Ave	Vera-Parraga, A	S1
12-159	1071-1073 Anna St	Crawford, E	S1
12-503	645-647 Jefferson Ave	Galvao, J & M	S1
12-590	1136-1138 Louisa St	Reyes, D & J	S1
12-621	520-522 Madison Ave	Bastos, J	S1
13-782	421-423 Magie Ave	Moskovics, M	S1
13-1191	28 Pershing Ave	Ruela, A & D	D1
13-1793	502-504 W Grand St	Lores, M	S1

13@$250.00ea.=$3250.00

Acct. No.	Property Location	Name	Ded. Code
3-136	333 Court St	Beltran-Bell, F	V1
4-557	854 Gibbons Ct	Devlin, J	V1
6-748	437-439 New York Ave	Manzanet, J	V1
7-627	123 Jacques St	Rivera-Cruz, M	WV
11-156.J	1 Country Club Ln	Litwin , S	WV
11-561	948 Kilsyth Rd	Cunningham, E	V1
11-1181	305 Parker Rd	Grimsley, E	V1

7@$250.00ea.=$1750.00

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested the award of a contract to **DYNAMIC EARTH, LLC, 245 Main Street, Suite 113, Chester, New Jersey 07930,** to serve as Licenses Site Remediation Professional (LSRP) and to perform a supplemental environmental remediation concerning groundwater wells and monitoring at property known as the former New Jersey Transit Bus Garage Property, 865 Livingston Street, Elizabeth, New Jersey in an amount not to exceed $156,000.00, unless further authorized by City Council; and

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

WHEREAS, pursuant to **N.J.S.A**. 19:44A-20.5 et seq., this contract was solicited and is being awarded pursuant to a fair and open process; 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 Local Public Contracts Law (**N.J.S.A.** 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; now, therefore, be it

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

1. **DYNAMIC EARTH, LLC, 245 Main Street, Suite 113, Chester, New Jersey 07930,** to serve as Licenses Site Remediation Professional (LSRP) and to perform a supplemental environmental remediation concerning groundwater wells and monitoring at property known as the former New Jersey Transit Bus Garage Property, 865 Livingston Street, Elizabeth, New Jersey in an amount not to exceed $156,000.00, unless further authorized by City Council.

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, ~~Crowe~~, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested the adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to discharge a second mortgage and the cancellation of the Affordability Agreement at the property located at **132-134 First Street, Elizabeth, New Jersey** ; and

WHEREAS, this is a E'Port Commercial Loan Program, which the City of Elizabeth holds a second mortgage given by **F & B Gardens, LLC., 600 Fulton Street, Elizabeth, New Jersey 07206,** the owner of premises located at **132-134 First Street, Elizabeth, New Jersey** dated December 17, 2004 in the original amount of $25,000.00 and recorded in Mortgage Book 11013 at Page 0343 -0347 There is also an Affordability Agreement of three (3) years which has been fulfilled and must be cancelled; and

WHEREAS, the owner is entitled to the Discharge of the Mortgage and cancellation of the Affordability Agreement; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to discharge said mortgage and cancel the Affordability Agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested the adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to discharge a second mortgage and the cancellation of the Affordability Agreement at the property located at **1120-1122 Dickinson Street, Elizabeth, New Jersey**; and

WHEREAS, this is an UEZ Commercial Loan Program, which the City of Elizabeth holds a second mortgage given by **Magill Real Estate Holdings, LLC, 806 E. Jersey Street, Elizabeth, New Jersey 07206,** the owner of premises located at **1120-1122 Dickenson Street, Elizabeth, New Jersey** dated May 6, 2009 in the amount of $90,000.00 and recorded in Mortgage Book 12704 – at pages 0931 – 0935. The terms UEZ Commercial Loan Program is forgivable after three years; and

WHEREAS, the Affordability period is now over and the owner is entitled to a Discharge of Mortgage and cancellation of the Affordability Agreement; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to discharge said mortgage and cancel the Affordability Agreement.

Which was adopted by the following vote:

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

NEGATIVE: None