BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended that a contract be awarded to **WILLIAM H. MALONE, 45 Eisenhower Drive, Paramus, New Jersey 07653** to provide technical assistance to the City of Elizabeth in management of its insurance programs for the period July 1, 2013 through June 30, 2014 at a total cost of $25,000.00; and

WHEREAS, Mr. Malone is a resident of Elizabeth, New Jersey and has more than thirty (30) years of specialized expertise in insurance; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00406 charging the amount of $25,000.00 to Account No. 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, pursuant to **N.J.S.A.** 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **WILLIAM H. MALONE, 45 Eisenhower Drive, , New Jersey 07653** to provide technical assistance to the City of Elizabeth in management of its insurance programs for the period July 1, 2013 through June 30, 2014 at a total cost of $25,000.00.

2. Recommendation is based on the thirty (30) years of experience in specialized insurance enjoyed by William H. Malone, who is a City of Elizabeth resident.

3. The services available from William H. Malone includes all aspects of risk management necessary to determine whether a client's assets are properly protected and at the lowest possible cost.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, each year several municipal agencies in the City of Elizabeth are granted permission by the Elizabeth Board of Education to utilize school facilities; and

WHEREAS, in exchange for this permission, the Elizabeth Board of Education requires the execution of an Indemnification Agreement as well as insurance naming the Board of Education as an insured; and

WHEREAS, since the City of Elizabeth is self-insured, it cannot furnish the Board of Education with a Certificate of Insurance; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby authorizes the proper City Officials to provide the Elizabeth Board of Education with appropriate assurances that the City's self-insurance program will cover the Elizabeth Board of Education in the following amounts for the utilization of school facilities during Fiscal Year July 1, 2013 to June 30, 2014:

Combined Single Limit	$	1,000,000.00
Each Occurrence	$	1,000,000.00
Aggregate	$	1,000,000.00

FURTHER RESOLVED that the City Council of the City of Elizabeth hereby authorizes the proper City Officials to execute an Indemnification Agreement to the Elizabeth Board of Education for the use of school facilities for the Fiscal Year, July 1, 2013 to June 30, 2014.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended the award of a contract to **NY Marine & General Insurance Company/ Midlands Management Corp., 3503 N.W. 63rd Street, Ste. 305, Oklahoma City, OK 73116,** for Excess Insurance on Worker's Compensation Coverage and excess General Liability Insurance; the limits of the coverage are Statutory and a there is a $1,000,000.00 self-insured retention for the period of July 1, 2013 to June 30, 2014 at a cost of $218,753.00; and

WHEREAS, this policy of insurance will be processed through Sirocco Group, agent-of-record; and

WHEREAS, the Business Administrator has advised that this request is being made with the full concurrence of the members of the Insurance Fund Commission; and

WHEREAS, the Chief financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00403 charging the amount of $218,753.00 to Account No. 4-01-23-210-INS of the Municipal Budget, is on file in the Office of the City Clerk; and

WHEREAS, insurance companies are exempt from the provisions of Chapter 2.92 of the code of the City of Elizabeth; and

WHEREAS, any corporation listed on the American or New York Stock Exchanges are exempt from the provisions of Chapter 2.92; and

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

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

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

1. .The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with **NY Marine & General Insurance Company/ Midlands Management Corp., 3503 N.W. 63rd Street, Ste. 305, Oklahoma City, OK,** for Excess Insurance on Worker's Compensation Coverage for the period of July 1, 2013 to June 30, 2014 at a cost of $218,753.00. This policy of insurance will be processed through Regional Risk Managers, LLC, agent-of-record.

2. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of new Jersey, through the Department of Insurance and Banking in order to qualify to do business within this State. New Jersey Statute 40A:11-5(m) exempts the purchasing of insurance converge from advertising for bids and bidding, which exception shall be in accordance with the requirements for Extraordinary, Unspecifiable Service. However, quotes were received and it deemed NY Marine was the most desirable. Is on the NYSE and listed as AM Best rating of A-.

3. This cannot be described by written specifications because of the unique nature of the service to be rendered as more fully explained in paragraph (2) above.

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

Which was adopted by the following vote:

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

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 **Jet Vac, Inc., Box 222, Northville, MI 48167**, for parts and repairs for sweepers for the Department of Public Works for the period of June 24, 2013 to October 28, 2013 at cost not to exceed $50,000.00 under State Contract No. 69719; 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. 69719 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 **Jet Vac, Inc., Box 222, Northville, MI 48167**, for parts and repairs for sweepers for the Department of Public Works for the period of June 24, 2013 to October 28, 2013 at cost not to exceed $50,000.00 under State Contract No. 69719.

Which was adopted by the following vote:

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

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 **CHERRY VALLEY TRACTOR SALES, 35 Route 70 West, Marlton, NJ 08053,** for the purchase of parts and repairs for lawn and grounds equipment for the period of June 24, 2013 through June 28, 2014 at a cost not to exceed $100,000.00 under State Contract No. 76907; 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, State Contracts are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 76907 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 **CHERRY VALLEY TRACTOR SALES, 35 Route 70 West, Marlton, NJ 08053,** for the purchase of parts and repairs for lawn and grounds equipment for the period of June 24, 2013 through June 28, 2014 at a cost not to exceed $100,000.00 under State Contract No. 76907.

Which was adopted by the following vote:

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

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 **OLD DOMINION BRUSH CO., 5118 Glen Alden Drive, Richmond VA 23231**, for the purchase of Parts and Repairs for Road Maintenance Equipment for the period of June 24, 2013 through October 28, 2013 at a cost not to exceed $50,000.00 under their State Contract No. 69723; 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, 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. 69723 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 **OLD DOMINION BRUSH CO., 5118 Glen Alden Drive, Richmond VA 23231**, for the purchase of Parts and Repairs for Road Maintenance Equipment for the period of June 24, 2013 through October 28, 2013 at a cost not to exceed $50,000.00 under their State Contract No. 69723.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended an award of a contract to **STORR TRACTOR CO., 3191 US Highway 22, Branchburg, NJ 08876,** for the purchase of Parts and Repairs for Lawn and Grounds Equipment for various departments for the period of June 24, 2013 through June 28, 2014 at a cost not to exceed $100,000.00 under State Contract No. 76921; 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, State Contracts are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 76921 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 **STORR TRACTOR CO., 3191 US Highway 22, Branchburg, NJ 08876,** for the purchase of Parts and Repairs for Lawn and Grounds Equipment for various departments for the period of June 24, 2013 through June 28, 2014 at a cost not to exceed $100,000.00 under State Contract No. 76921 .

Which was adopted by the following vote:

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

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 **Garden State Highway Products, 1740 East Oak Road, Vineland, New Jersey 08361,** for Break Away U-Post and Sign Supports for the Public Works Department for the period of June 24, 2013 through June 30, 2014 at a cost not to exceed $50,000.00 under State Contract No. 76835; 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. 76835 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 **Garden State Highway Products, 1740 East Oak Road, Vineland, New Jersey 08361,** for Break Away U-Post and Sign Supports for the Public Works Department for the period of June 24, 2013 through June 30, 2014 at a cost not to exceed $50,000.00 under State Contract No. 76835.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Public Works Department an award of a to **STORR TRACTOR COMPANY, 3191 Route 22, Branchburg, NJ 08876**, for the purchase of Two Leaf Mulching Kits for a Toro Tractor in the amount of $1,501.76 under the Middlesex Regional Educational Commission Co-Op Contract #65MCESCCPS; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose Certificate No. 13-10322, charging the amount of $1,501.76 to Account No. 3-01-26-300-SPT-367 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract be made to **STORR TRACTOR COMPANY, 3191 Route 22, Branchburg, NJ 08876**, for the purchase of Two Leaf Mulching Kits for aToro Tractor in the amount of $1,501.76 under the Middlesex Regional Educational Commission Co-Op Contract #65MCESCCPS.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested in accordance with **NJAC** 5:34 the award of a contract to **Public Service Electric & Gas Company, 472 Weston Canal Road, Somerset, New Jersey 08873,** to provide the Joseph O'Brien Park with renovations requiring the installation of seventeen (17) 14 foot tall Classic 1 Poles with Fixtures in the amount of $52,695.83; and

WHEREAS, the New Jersey Department Contracts Law authorizes contracts to public utilities which are subject to the jurisdiction of the Board of Public Utilities Commission without bidding by virture of **N.J.S.A** 40A:11-5(f); and

WHEREAS, public utilities which are subject to the jurisdiction of the Board of Public Utilities Commission in accordance with tariffs and charges made, charged or exacted, filed with said Board are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No 13-10321 charging the amount of $52,695.83 to Account No. X-04-55-999-X51-001 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City officials to authorize **Public Service Electric & Gas Company, 472 Weston Canal Road, Somerset, New Jersey 08873,** to provide the Joseph O'Brien Park renovations requiring the installation of seventeen (17) 14 foot tall Classic 1 Poles with Fixtures in the amount of $52,695.83.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended an award of a contract to **GAMETIME, c/o MRC, PO Box 106, Spring Lake, NJ 07762,** for the purchase of Playground Equipment for the O'Brien Park at a total cost of $79,252.48 under State Contract No. A81411; 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, State Contracts are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract 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 **GAMETIME, c/o MRC, PO Box 106, Spring Lake, NJ 07762,** for the purchase of Playground Equipment for the O'Brien Park at a total cost of $79,252.48 under State Contract No. A81411.

Which was adopted by the following vote:

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

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 **MODERN OFFICE SYSTEMS, LLC, 45 West 36th Street, 9th Floor, New York, NY 10018,** for the purchase of evidence lockers for the Police Department Property Room in the amount of $17,194.80 under their State Contract No. A79829; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-10320, charging the amount of $17,194.80 to Account No. 3-01-25-240-POL-361, 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 No. A79829 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 **MODERN OFFICE SYSTEMS, LLC, 45 West 36th Street, 9th Floor, New York, NY 10018,** for the purchase of evidence lockers for the Police Department Property Room in the amount of $17,194.80 under their State Contract No. A79829.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised on February 13, 2013 your Honorable Body adopted a resolution to amend an award to a contract for **Firefighter One, LLC, 26 Gail Court – Suite 1, Sparta, NJ 07871,** for the purchase of Masks, CBRNE Meters and Service Air Tanks for the Police Department increasing the original amount of the contract by $150,000.00 and not to exceed $250,000.00.; and

WHEREAS, the Director of the Police Department has determined that additional equipment will be required and is requesting an increase the original amount of the contract by $200,000.00; and

WHEREAS, the Business Administrator concurs and recommends per the request of the Director of the Police Department amendment to the resolution adopted February 13, 2013 to award a contract to **Firefighter One, LLC, 26 Gail Court, Suite 1, Sparta, New Jersey 07871**, for Masks, CBRNE Meters and Service Air Tanks for the Police Department for the period of May 17, 2012 through May 16, 2014 to reflect the new cost not to exceed $450,000.00 under their State Contract No. 81357;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, and

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

RESOLVED that the City Council of the City of Elizabeth amends the resolution adopted February 13, 2013 to award a contract to **Firefighter One, LLC, 26 Gail Court, Suite 1, Sparta, New Jersey 07871**, for the Police Department increasing the contract for Masks, CBRNE Meters and Service Air Tanks for the Police Department for the period of May 17, 2012 through May 16, 2014 by $200,000.00 to reflect the new cost not to exceed $450,000.00 under their State Contract No. 81357.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that the Executive Assistant to the Business Administrator has made a request to participate in the **United States Communities Government Purchasing Alliance, National Cooperative Purchasing Program, 2999 Oak Road, Suite 710, Walnut Creek, CA 94597**, to utilize their contract for the purchase of solar panels; and

WHEREAS, by joining this Co-Op, the City will avoid the expense involved in the bidding process for the purchase of this item. There is no fee to join. Becoming a member would provide the City another avenue to pursue when looking for bid awards in addition to potentially saving the City the cost of bidding certain items in the future; and

WHEREAS, the Business Administration per the recommendation of the Executive Assistant to the Business Administrator has requested authorization for the proper City Officials to participate in the **United States Communities Government Purchasing Alliance, National Cooperative Pricing Program, 2999 Oak Road, Suite 710, Walnut Creek, CA 94597.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended an award of a contract to **RICOH AMERICA'S CORPORATION, 5 Dedrick Place, West Caldwell, NJ 07006,** for the maintenance of existing photocopiers for the period of July 1, 2013 through June 30, 2014 in the amount not to exceed $45,000.00 under State Contract No. 51464; 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. 51464 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **RICOH AMERICA'S CORPORATION, 5 Dedrick Place, West Caldwell, NJ 07006,** for the maintenance of existing photocopiers for the period of July 1, 2013 through June 30, 2014 in the amount not to exceed $45,000.00 under State Contract No. 51464.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that on August 28, 2012 your Honorable Body authorized the proper City Officials to enter into a contract with **Concord Engineering, 520 South Burnt Mill Road, Voorhees, New Jersey 08043**, to perform Energy Consulting Services. The resolution authorized a term of contract for one year concluding on August 27, 2013; and

WHEREAS, it is necessary for **Concord Engineering** to assist the City in choosing an Energy Services Company and in negotiating an Energy Savings Improvement Plan; and

WHEREAS, the majority of this consultant's fees will come directly from energy savings and grants already received by the City; and

WHEREAS, the Business Administrator has requested authorization to extend the award of a contract to August 27, 2014, at no extra cost; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth amend a resolution adopted August 28, 2012, awarding a contract to **Concord Engineering,520 South Burnt Mill Road, Voorhees, New Jersey 08043**, to provide energy consulting services for the period August 28, 2012 to August 27, 2013, at a cost not to exceed $100,000.00, specifically to extend the term of the contract to August 27, 2014 at no extra cost.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for **NUBILUZ TRANSPORT LLC, 170 New Brunswick Ave., Perth Amboy, NJ 08861,** to operate as an Autobus pursuant to Chapter 5.16 of the Code of the City of Elizabeth; and

WHEREAS, a copy of the routes **NUBILUZ TRANSPORT LLC** will be traveling are file in the Office of the Municipal Clerk; and

WHEREAS, in addition, **NUBILUZ TRANSPORT LLC** will be traveling to and from 34 Engelhard Road, Avenel, New Jersey and 258 Prospect Plains Road, Cranbury, New Jersey; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes **NUBILUZ TRANSPORT LLC, 170 New Brunswick Ave., Perth Amboy, NJ 08861,** to operate as an Autobus for the routes that are on file in the Office of the Municipal Clerk pursuant to Chapter 5.16 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for the appointment of attorneys to represent the City in the defense of Civil Litigation in auto/general liability cases and matters included within the City's self-insurance program for the fiscal year July 1, 2013 to June 30, 2014; 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, pursuant to **N.J.S.A**. 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

WHEREAS, the City Attorney has recommended an award be made in this matter to the law firm listed below; 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 Services; 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 Chief Financial Officer shall execute the Certificate of Availability of Funds at each time an order is placed, and covering the amount of the order, and said execution is to be made just before this City incurs a contractual liability on its part; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the law firm listed below is hereby authorized to act as counsel for the City of Elizabeth in matters referenced hereinabove for the period July 1, 2013 to June 30, 2014 under the following terms and conditions:

LaCorte, Bundy, Varady & Kinsella Esqs.
989 Bonnel Court
Union, New Jersey 07083

a. Civil Court Litigation at a rate of $175.00 per hour in the Trial and Appellate court. This includes all legal work necessary, but does not include reasonable expenses which are to be paid in addition to these amounts. Expenses are to include filing fees, expert witness fees, overnight mail, parking and tolls. Postage and regular photocopying are to be accounted for in the hourly rate of $175.00.

b. Legal work required to defend against late notice of claim motions and for other miscellaneous matters shall be compensated at $175.00 per hour together with reasonable expenses.

c. Subrogation claims to recover property damage losses shall be paid on the basis of 25% of the amount of recovery, plus reasonable expenses.

d. All of the foregoing costs and expenses are not to exceed $450,000.00, except as specifically authorized by resolution of this Governing body; and be it

FURTHER RESOLVED that the Purchasing Agent is hereby authorized to place sufficient orders in connection therewith, subject to the requirements of the Local Public Contracts Law and guidelines promulgated thereunder; 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:11-5(1)(A) of the Local Public Contracts Law because the contractors are Attorneys-At-Law of the State of New Jersey and licensed to practice therein; and

FURTHER RESOLVED that a notice of this action shall be printed once in **The Star Ledger.**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted] Keenan, Cedeno, Mazza, and President Gallman - 6

NEGATIVE: None

EXCUSED: Grova - 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for the appointment of attorneys to represent the City in the defense of Worker's Compensation cases and matters included within the City's partial self-insurance program for the fiscal year July 1, 2013 to June 30, 2014; 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, pursuant to **N.J.S.A**. 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

WHEREAS, the City Attorney has recommended an award be made in this matter to the law firm listed below; 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 Services; and

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

RESOLVED by City Council of the City of Elizabeth that the law firm listed below is hereby authorized to act as defense counsel for the City of Elizabeth in matters referenced hereinabove for the period July 1, 2013 to June 30, 2014 under the following terms and conditions:

LaCorte, Bundy, Varady & Kinsella Esqs.
989 Bonnel Court
Union, New Jersey 07083

a. Formal petitions in Workers' Compensation at a rate of $175.00 per hour for each petition which includes attendance at all hearings, negotiations, trials, appeals, etc., together with reasonable expenses.

b. At a rate of 15% of recovery of liens involving third party actions.

c. All of the foregoing costs and expenses are not to exceed $150,000.00, except as specifically authorized by resolution of this Governing body; and be it

FURTHER RESOLVED that the Purchasing Agent is hereby authorized to place sufficient orders in connection therewith, subject to the requirements of the Local Public Contracts Law and guidelines promulgated thereunder; 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:11-5(1)(A) of the Local Public Contracts Law because the contractors are Attorneys-At-Law of the State of New Jersey and licensed to practice therein; and

FURTHER RESOLVED that a notice of this action shall be printed once in **The Star Ledger**.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted], [redacted], [redacted] Keenan, Cedeno, Mazza, and President Gallman - 6

NEGATIVE: None

EXCUSED: Grova - 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to retain legal counsel for representation of the City in tort litigation in situations where the law firm of **LaCorte, Bundy, Varady & Kinsella, Esqs., 989 Bonnel Court, Union, New Jersey 07083,** has conflicts of interest; 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, pursuant to N.J.S.A. 19:44A-20.5 et seq., this contract is being awarded under a fair and open procedure; and

WHEREAS, the Law Department has recommended an award be made in this matter to the following attorneys for the period of **July 1, 2013** to **June 30, 2014**:

Kologi • Simitz
Counsellors at Law
Edward J. Kologi
Michael S. Simitz
923 North Wood Avenue
Linden, New Jersey 07036

Robert F. Renaud, Esq.
PALUMBO & RENAUD
Attorneys at Law
190 North Avenue East (Rte 28)
Cranford, New Jersey 07016

Peter H. Spaeth
Wolff, Helies, Duggan, Spaeth & Lucas
Counsellors at Law
Valley Park Professional Center
2517 Highway 35
Building K, Suites 201 & 202
Manasquan, New Jersey 08736-1994

Guy P. Ryan, Esq.
Secare, Ryan & Hensel
16 Madison Avenue
Building 1
Toms River, New Jersey 08753

Kraig M. Dowd, Esq.
Weber Dowd Law, LLC
365 Rifle Camp Road
Woodland Park, New Jersey 07424

Allan C. Roth
Roth D'Aquanni
Counsellors at Law
150 Morris Avenue
Suite 206
Springfield, New Jersey 07081

Daniel Antonelli
David L. Minchello
Antonelli Minchello, P.C.
1000 Stuyvesant Ave., Suite 1
Union, New Jersey 07083

Janyce M. Wilson, Esq.
226 St. Paul Street
Westfield, New Jersey 07090

Raymond S. Londa
Londa & Londa
277 North Broad Street
Elizabeth, New Jersey 07208

Florio & Kenny, LLP
5 Martin View Plaza
Suite 103
P. O. Box 771
Hoboken, New Jersey 07030

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 Services; and

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

RESOLVED by City Council of the City of Elizabeth that the Mayor and City Clerk are hereby authorized to enter into a contract with **the attorneys listed hereinabove**, to act as counsel for the City of Elizabeth in tort litigation, where the law firm of LaCorte, Bundy, Varady & Kinsella, Esqs. has conflicts of interest for the period of July 1, 2013 to June 30, 2014 under the following terms and conditions:

a. Civil Court Litigation at a rate of $175.00 per hour in the Trial and Appellate court. This includes all legal work necessary, but does not include reasonable expenses which are to be paid in addition to these amounts. Expenses are to include filing fees, expert witness fees, overnight mail, parking and tolls. Postage and regular photocopying are to be accounted for in the hourly rate of $175.00.

b. Legal work required to defend against late notice of claim motions and for other miscellaneous matters shall be compensated at $175.00 per hour together with reasonable expenses.

c. Subrogation claims to recover property damage losses shall be paid on the basis of 25% of the amount of recovery, plus reasonable expenses.

d. All of the foregoing costs and expenses are not to exceed $65,000.00, for each attorney except as specifically authorized by resolution of this Governing body; and be it

FURTHER RESOLVED that the Purchasing Agent is hereby authorized to place sufficient orders in connection therewith, subject to the requirements of the Local Public Contracts Law and guidelines promulgated thereunder; 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:11-5(1)(A) of the Local Public Contracts Law because the contractor is an Attorney-At-Law of the State of New Jersey and licensed to practice herein; and be it

FURTHER RESOLVED that a notice of this action shall be printed once in **The Star Ledger**.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted] Keenan, Cedeno, Mazza, and President Gallman - ~~8~~ 6

NEGATIVE: None

EXCUSED: Grova - 1

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.

Councilman Mazza then **MOVED** that the foregoing resolution be **TABLED,** seconded by Councilman Cedeno and then CARRIED by the following vote:

AFFIRMATIVE: Cuesta, Grova, Keenan, Cedeno, Mazza - 5

NEGATIVE: Perkins-Auguste, President Gallman - 2

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

Councilman Mazza then **MOVED** that the foregoing resolution be

TABLED, seconded by Councilman Cedeno and then CARRIED by the following vote:

AFFIRMATIVE: Cuesta, Grova,
Keenan, Cedeno, Mazza - 5

NEGATIVE: Perkins-Auguste, President Gallman - 2

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Chief Financial Officer has requested that the award of a contract be made to **DECOTIIS, FITZPATRICK, & COLE, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666** as Bond Counsel for the City of Elizabeth for the purpose of providing bond counsel services in connection with preparation of ordinances, bond and note sales and related services and that an appropriate contract be executed by the proper City Officials for a one (1) year period effective July 1, 2013 through June 30, 2014, at a cost pursuant to a fee schedule as follows:

A. For services rendered or in connection with each bond sale, a fee of $4,500.00 plus $1.10 per thousand dollars of bonds issued.

B. For services rendered in connection with the preparation or review of each ordinance and the compiling of a certified record of proceedings in connection therewith, a fee of $500.00 for each single purpose ordinance and $675.00 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of the ordinary, there will be additional fees to be charged at the hourly rates of $175.00 for partners and up to $120.00 for paralegals. The fees for services in connection with the ordinances will be charged periodically during the course of the year.

C. The fee of any temporary financing involving a private placement and not involving numerous notes, preparation of an Official Statement, complicated arbitrage analysis, investment yield restrictions or attendance at closing, shall be $.50 per thousand dollars of bond anticipation notes and $.50 per thousand dollars of tax anticipation notes, with a minimum fee of 1,000.00 for bond anticipation notes or tax anticipation notes.

D. Services rendered beyond the scope of those described above will be billed at the hourly rates of $175.00 for partners and $120.00 for paralegals. Such services may include attendance of meetings, extraordinary work involved in the preparation of the Official Statement, attention to any litigation that may occur, complicated arbitrage analysis or applications to the Federal Reserve Bank for investments of bond or notes proceeds in State and Local Government Series federal obligations. If the Bond sale involves the sale of minibonds, the sale of obligations to the United States Department of Agriculture, Rural Development, or an application to the Local Finance Board, such services will be billed at said hourly rates, with a minimum fee of $1,500.00 and if the bond sale involves participation in a New Jersey Environmental Infrastructure Trust financing, such services will be billed at $175.00 per hour for partners and $120.00 for paralegals, with a minimum fee of $2,500.00. In the event that bond insurance, a letter of credit or similar credit enhancement facility is used in connection with bond issue, an additional fee based on the responsibility assumed and time involved will be charged.

E. In the event of an advance refunding bond issue providing for an escrow agreement

and an investment of the proceeds consistent with the restrictions of the Internal Revenue Code to provide for the payment of a prior issue of bonds, there will be a fee of $10,000.00 in addition to the fees described herein.

F. In the event that a bond sale is held but all bids are rejected or the sale is canceled, the fee to be charged shall be a reasonable one, based on the services performed.

G. Customary disbursements for postage, telephone, photocopying, travel and out-of-pocket expenses shall be added to the fees referred to in this Agreement.

H. This Agreement shall be for 2014 State Fiscal Year, commencing on the date hereof, unless terminated earlier by written notice from either party to the other party and the total amount of the contract shall not exceed $60,000.00 without further authorization of the City Council; and

WHEREAS, the contract in question is determined to fall within the Open-end Contract Rule 5:30 14-4 as promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Chief Financial Officer shall execute the Certificate of Availability of Funds at each time an order is placed, and covering the amount of the order, and said execution is to be made just before this 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; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter Chapter 2.92.010 of the Code of the City of Elizabeth; 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 Chief Financial Officer has recommended the award of this contract to the firm of **DECOTIIS, FITZPATRICK, & COLE, LLP**; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a professional service contract with **DECOTIIS, FITZPATRICK, & COLE, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666** as Bond Counsel for the City of Elizabeth for the purpose of providing bond counsel services in connection with preparation of

ordinances, bond and note sales and related services and that an appropriate contract be executed by the Proper City Officials for a one (1) year period effective July 1, 2013 through June 30, 2014 without further authorization of City Council.

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 typed 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 action shall be printed in **The Star Ledger.**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Grova, [redacted] Keenan, Cedeno, Mazza, and President Gallman - X7

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Chief Financial Officer has recommended an award of contract be made to **Louis C. Mai, CPA & Associates, P. O. Box 624, Pompton Plains, New Jersey 07444**, to conduct statutory audits of the City of Elizabeth, General Funds, City of Elizabeth Sewer Utility, City of Elizabeth Other Funds and Single Audit of Federal and State Grants for the fiscal year ending June 30, 2014; and

WHEREAS, the total amount of the contract to be awarded to **Louis C. Mai, CPA & Associates** will not exceed $212,000.00; 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 Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00511, charging the amount of $59,000.00 to Account No.4-01-20-135-001-001, Certification No. 14-00512, charging the amount of $59,000.00 to Account No.4-01-20-135-002-002, Certification No. 14-00513, charging the amount of $59,000.00 to Account No.4-01-20-135-003-003, Certification No. 14-00514, charging the amount of $6,000.00 to Account No.4-01-20-135-004-004, Certification No. 14-00515 charging the amount of $29,000.00, to Account No.4-07-55-500-SEW-302 of the Municipal Budget are on file in the office of the City Clerk; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92.010 of the Code of the City of Elizabeth; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **Louis C. Mai, CPA & Associates, P. O. Box 624, Pompton Plains, New Jersey 07444** to perform the above described services, at a cost not to exceed $212,000.00 for the fiscal year ending June 30, 2014 without the express approval of this Governing Body.

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 the **Louis C. Mai, CPA & Associates, P. O. Box 624, Pompton Plains, New Jersey 07444**, Certified Public Accountants, are exempted by the provisions of the Local Public Contracts Law.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to retain the professional services of an attorney to serve as the Tax Appeal attorney for the Fiscal Year July 1, 2013 through June 30, 20143 in the Tax Court and before the Union County Board of Taxation; and

WHEREAS, the City Attorney has recommended the award of this contract be made to **Blau & Blau, Attorneys at Law, 55 Morris Avenue, Springfield, New Jersey 07081** at an annual fee of $130,000 plus reasonable expenses actually incurred to be paid on a monthly basis; 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 must be publicly advertised and the contract itself must be available for public inspection; 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 Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00509 charging $130,000 to Account No. 4-0120-150-ASE-302 of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92.010 of the Code of the City of Elizabeth; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **Blau & Blau, Attorneys at Law, 55 Morris Avenue, Springfield, New Jersey 07081** to provide the City of Elizabeth with legal services in conjunction with tax appeal cases for the period July 1, 2013 through June 30, 2014 at a cost not to exceed $130,000.

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 Blau & Blau, Attorneys-At-Law of the State of New Jersey and is a person whose practice is authorized and regulated by law and is exempted by the provisions of the Local Public Contracts Law.

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Grova, [redacted], [redacted] Keenan, Cedeno, Mazza, and President Gallman – 7

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Chief Financial Officer has recommended that a contract be awarded to **Stack , Coolahan & Stack, LLC., Real Estate Appraisers and Consultants, 90 Hudson Street, Suite 200, P. O. Box 731, Hoboken, New Jersey 07080** for the retention of an expert real estate appraiser to prepare appraisal valuations and reports, provide testimony and attendance at conferences scheduled by the Court in connection with State Tax Court Appeals, including preparation and research time on each trial day, at a fixed monthly fee of $6,500.00 for a grand total not to exceed $78,000.00 without the express approval of this Governing Body for the period of July 1, 2013 to June 30, 2014; and

WHEREAS, Stack, Coolahan & Stack, LLC is able to provide these services which are specialized and qualitative in nature requiring expertise, extensive training, and proven reputation in the filing of tax appraisals and testimony; and will be extremely important to the City at this time, since this firm will provide continuity in tax appeal matters; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92.010 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, 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 Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00510 charging the amount of $78,000.00, to Account No.4-01-20-150-ASE-302 of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires That the resolution authorizing the award of contracts for professional Services" without competitive bids must be publicly advertised; 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 an agreement with **Stack, Coolahan & Stack, LLC., 90 Hudson Street, Suite 200, P. O. Box 731, Hoboken, New Jersey 07080**, at a fixed monthly fee of $6,500.00 for a grand total not to exceed $78,000.00 without the express approval of this Governing Body for the period of July 1, 2013 to June 30, 2014; and
2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the extensive educational training and qualifications for real estate appraisers are are of a specialized nature and as such are not conducive to the drawing of specifications for the receipt of competitive bids.
3. A copy of this resolution shall be established in The Star Ledger.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested authorization to enter into an agreement with **Easter Seals New Jersey, 25 Kennedy Blvd, Suite 600, E. Brunswick, NJ 08816**, for the Senior Community Service Employment Program (SCSEP) for the period of July 1, 2013 through June 30, 2014.at no cost to the City of Elizabeth; and

WHEREAS, Easter Seals volunteers are senior citizens that work at the Office of Aging programs and are compensated for their time by Easter Seals; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an agreement with **Easter Seals New Jersey, 25 Kennedy Blvd, Suite 600, E. Brunswick, NJ 08816**, for the Senior Community Service Employment Program (SCSEP) for the period of July 1, 2013 through June 30, 2014.at no cost to the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested permission to increase the indigent burial stipend in the Health and Human Services budget from $550.00 to $1,000.00; and

WHEREAS, the burial stipend of $550.00 amount has been in effect for more than twenty-five (25) years and is insufficient to cover cost; and

WHEREAS, the Director of the Health and Human Services Department has inquired as to the stipend amount allowed by other counties and found that Essex County allows $950.00 and Union County allows $1,500.00; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the increase for indigent burial stipend in the Department of Health and Human Services budget from $550.00 to $1,000.00 to cover cost.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to discharge the second mortgage held by the City of Elizabeth and cancel the Affordability Agreement given to **Phillip Kandl, 970 Byron Avenue, Elizabeth, NJ** the owner of property located at **178-180 Third Street, Elizabeth, New Jersey**; and

WHERES, Mr. Kandal received a Rental Rehabilitation Deferred Payment Loan (DPL) dated July 8, 1993 in the amount of $29,203.00, which was recorded in MB4966 – 0139. The DPL loan forgivable over ten (10) years, (period of affordability); and

WHEREAS, the Director of the Department of Planning and Community Development advises that the Mortgage is now in the twentieth year 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 proper City Officials to execute any and all documents necessary and appropriate in order to discharge the mortgage given to **Phillip Kandl** for property located at **178-180 Third Street, Elizabeth, New Jersey** and cancellation the Affordability Agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested your Honorable Body to support **Magill Real Estate Holdings, LLC's, 806 East Jersey Street, Elizabeth, New Jersey** application for funding to the NJ Department of Community Affairs (NJDCA) under the Neighborhood Enhancement Program (NEP) for the project located at 279 Second Street. This request is made in order to comply with the NEP program application process; and

WHEREAS, the developer, **Magill Real Estate Holdings, LLC** is seeking funding from NJDCA in an amount not to exceed $1,050,000.00 or the maximum amount allowed in accordance with the NEP guidelines; and

WHEREAS, these funds, if approved, shall be used to acquire and rehabilitate an existing vacant mixed & non-conforming use structure, into a six (6) unit 100% residential structure, which is permitted use in conformance with the City's Zoning Ordinance. The total project cost is anticipated to be $1,587,000.00. The resulting units will benefit tenants earning 50% to 80% of area median income; and

WHEREAS, the project is consistent with the City's Consolidated Plan which outlines **the City of Elizabeth's housing related needs; now, therefore, be it**

RESOLVED that the City Council of the City of Elizabeth supports the application of **Magill Real Estate Holdings,LLC., 806 East Jersey Street, Elizabeth, New Jersey** to the New Jersey Department Community Affairs for Neighborhood Enhancement Program for funds in an amount not to exceed $1,050,000.00 or the maximum amount allowed in accordance with the NEP guidelines and rehabilitate an existing vacant mixed and non-conforming use structure located at 279 Second Street into a six (6) unit residential structure.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested your Honorable Body to support **Magill Real Estate Holdings, LLC's, 806 East Jersey Street, Elizabeth, New Jersey,** application for funding to the NJ Department of Community Affairs (NJDCA) under the Neighborhood Enhancement Program (NEP) for the project located at 1175 Mary Street. This request is made in order to comply with the NEP program application process; and

WHEREAS, the developer, **Magill Estate Holdings, LLC**, seeking funding from NJDCA in an amount not to exceed $1,350,000.00 or the maximum amount allowed in accordance with the NEP guidelines; and

WHEREAS, these funds, if approved, shall be used to demolish an existing vacant and dilapidated one (1) unit structure and construct a six (6) unit apartment building with nine (9) off street parking spaces. Each unit will have three (3) bedrooms. The total project cost is anticipated to be $1,632,000.00. The resulting units will benefit tenants earning 50% to 80% of area median income; and

WHEREAS, this project is consistent with the City's Consolidated Plan, which outlines the City of Elizabeth's housing related needs; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth supports the application of **Magill Real Estate Holdings, LLC's, 806 East Jersey Street, Elizabeth, New Jersey,** to the NJ Department of Community Affairs (NJDCA) under the Neighborhood Enhancement Program (NEP) for funds in an amount not to exceed $1,350,000.00 or the maximum amount allowed in accordance with the NEP guideline to demolish an existing vacant and dilapidated one (1) unit structure located at 1175 Mary Street and construct a six (6) unit apartment building with nine (9) off-street parking spaces.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City Officials to execute any and all documents necessary and appropriate to postpone the City's Second Mortgage on **450-454 Grier Avenue, Elizabeth, New Jersey.** Based upon review of a recent appraisal, an inspection conducted by EHIP staff, and additional collateral provided via two additional properties (**711 East Jersey** Street and **819-821 East Jersey Street**), there is sufficient equity in the properties to protect the City's interest; and

WHEREAS, the City now holds a Second Mortgage on **450-454 Grier Avenue, Elizabeth New Jersey** in the amount of $800,000.00 and will continue to do so should this postponement be authorized.

Mortgagor:	**Magill Real Estate Holdings, LLC** **806 East Jersey Street** **Elizabeth, New Jersey 07201**
Principals:	**Angel Magill, Managing Member** **806 East Jersey Street** **Elizabeth, New Jersey 07201**
New Lender:	**Connect One Bank** **301 Sylvan Avenue** **Englewood Cliffs, New Jersey 07632**
Amount of New Loan:	**$1,325,000.00** **(Allocated as follows: $850,000.00 to $450-454 Grier Avenue;** **$190,000.00 to 711 East Jersey Street and;** **$285,000.00 to 819-821 East Jersey Street)**
New Interest Rate:	**3 1/8%**
Existing Lender:	**Crown Bank** **339 North Broad Street** **Elizabeth, New Jersey 07208**
Amount of Existing Loan:	**$900,000.00**
Existing Rate:	**5 ¼%**

WHEREAS, the Director of the Department of Planning & Community Development advises that such a postponement be authorized due to the Mortgagor is refinancing his existing first mortgage to obtain a lower interest rate now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the postponement of the City of Elizabeth's mortgage on property located at **450-454 Grier Avenue, Elizabeth, New Jersey** to Connect One Bank's mortgage in the amount of $1,325,000.00.

FURTHER RESOLVED that the City Council of the City of Elizabeth authorizes the Mayor and the Municipal Clerk to execute any and all documents in order to postponement of said mortgage.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

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

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

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

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

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

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

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

Certificate/Invoice 6/17/13 Total Amount $2,392.46.

Which was adopted by the following vote:

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

NEGATIVE: None

///

BY CITY COUNCIL AS A WHOLE:

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

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

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

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

Certificate Invoice 06/17/2013 Total Amount: $4,245.05.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that the current owner, **Mr. Matthew Williams,** of the property at **908 Olive Street, Elizabeth, New Jersey, Tax Account No. 8-1409** has not paid the City of Elizabeth for the replacement of a sidewalk on said property in the amount of $1,008.77; and

WHEREAS, the Department of Public Works has not been able to collect these monies as the letters to the owners of the properties have been returned; and

WHEREAS, the Director of the Department of Public Works has requested to place a lien be placed against the property in the amount of $1,008.77to reimburse the City for the work; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth hereby authorized the placement of a lien on the property located at **908 Olive Street, Elizabeth, New Jersey, Tax Account No. 8-1409** for the replacement of the sidewalk at the property owned by **Mr. Matthew Williams, 908 Olive Street, Elizabeth, New Jersey, Tax Account No. 8-1409** in the amount of $1,008.77, which lien shall hereafter form part of the taxes next to be assessed and levied upon said lands in the sum of $1,008.77 the same to bear interest at the same rate as taxes and to be collected and enforced by the same officers and in the same manner as taxes in accordance with the provisions of **N.J.S.A.** 40:48-2.14 and Chapter 15.12.180, of the Code of the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY COUNCIL AS A WHOLE:

WHEREAS, the Director of Public Works has advised that on July 26, 2011 your Honorable Body authorized the adoption of a resolution awarding a contract to **Supreme Conditioning Systems, Inc., PO Box 206 Hazlet, New Jersey 07730,** in the amount of $608,467.08 for a two-year contract for the Preventive Maintenance (PM) and Emergency Repair Service for heating, air conditioning, and automatic temperature control systems at various Public Buildings owned by the City of Elizabeth; and

WHEREAS, it is requested that your Honorable Body authorize the adoption of a resolution approving Change Order No. 1 – Final, to the contract awarded to **Supreme Conditioning Systems, Inc.**, which represent the final close-out for this project; and

WHEREAS, this Change Order is for additional repairs and maintenance required during the course of the contract. This project is complete; and

WHEREAS, the final contract price is $641,662.33, which represents an increase of 5.45% or $33,195.25 from the original contract price of $608,467.08; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No., 14-00015 charging the amount of $33,195.25 to Account No. 4-01-26-310-BLD-308 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the that the City Council of the City of Elizabeth authorizes Change Order No. 1 to the contract awarded to **Supreme Conditioning Systems, Inc., PO Box 206 Hazlet, New Jersey 07730,** for the furnishing of Preventive Maintenance and Emergency Repair Service for heating, air-conditioning and automatic temperature control systems specifically, to provide for additional repairs and maintenance services in the amount of $33,195.25 representing final close-out of the contract.

Which was adopted by the following vote:

AFFIRMATIVE: [redacted], Cuesta, Grova,, [redacted], [redacted], Keenan, Cedeno, Mazza, and President Gallman - ~~7~~ 6

NEGATIVE: Perkins-Auguste, – 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 8, 2013 the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey 08830-4112,** to be qualified to provide the City of Elizabeth with civil engineering services in connection with the Elizabeth River Flood Control Project, Emergency Maintenance Contract, Design Services as per their proposal dated May 31, 2013; and

WHEREAS, the project generally consist of preliminary inspections and investigations of all flood control structures along the Elizabeth River including the levee, channelized portions and the Ursino Dam. Up to 15 soil borings will be performed for geotechnical analyses along critical locations. Construction documents will be prepared and coordinated with he U.S. Army Corps of Engineers (ACOE) for review and approval along with New Jersey Department of Environmental Protection (NJDEP) permitting, topographic surveys, design documents and support services; and

WHEREAS, the design will address the repairs on two bids. Phase 1 will provide for the repairing of nine (9) damaged and deteriorated drainage structures and piping, clearing and regrading ponding areas, removal of all trees and unwanted vegetative matter within the areas of the nine structures and related work. Phase 2 will address the remaining fifteen (15) damaged and deteriorated drainage structures and all other repairs along the entire length of the River Project; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey 08830-4112,** to provide civil engineering services at a cost not to exceed $1,130,000.00 plus reimbursables in connection with the Elizabeth River Flood Control Project, Emergency Maintenance Contract, Design Services; and

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

WHEREAS, the contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et Seq., and N.J.S.A. 40A:11-5 (a) (i); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00014 charging the amount of $1,130,000.00 to Account No. X-08-55-045-034, of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey 08830-4112,,** to provide civil engineering services at a cost not to exceed $1,130,000.00 plus reimbursables in connection with the Elizabeth River Flood Control Project, Emergency Maintenance Contract, Design Services.
2. This contract is awarded without competitive bidding as a "Professional Service"in accordance with N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
3. A notice of this action shall be printed once in **The Star Ledger**.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 8, 2013 the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey 08830-4112,** to be qualified to provide the City of Elizabeth with the design and Construction Management Services for the cleaning and CCTV inspection of the Western Interceptor as per their proposal dated April 29, 2013; and

WHEREAS, the project generally consist of preparation of plans and specifications for the cleaning of approximately 2,025 lineal feet of the Western Interceptor between Clarkson Avenue and the Trenton Avenue Pump Station. This section of sewer is approximately 40 percent filled with sediment resulting in a significant reduction if conveyance capacity; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **Hatch Mott MacDonald, 11 Wood Avenue South, Iselin, New Jersey 08830-4112,** to provide design and Construction Management Services for the cleaning and CCTV inspection of the Western Interceptor on a time and material basis at a cost not to exceed $105,000.00, plus reimbursables for the project; and

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

WHEREAS, the contract is awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et Seq., and N.J.S.A. 40A:11-5 (a) (i); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00013 charging the amount of $105,000.00 to Account No. X-08-55-041-034, of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey 08830-4112,** to provide design and Construction Management Services for the cleaning and CCTV inspection of the Western Interceptor on a time and material basis at a cost not to exceed $105,000.00, plus reimbursables for the project.

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on June 28, 2013 two (2) bids were received for the Milling and Resurfacing of Broad Street, North Broad Street and West Jersey Street, Elizabeth, New Jersey; and

WHEREAS, the Director of the Department of Public Works has requested the award of a contract to the lowest responsible bidder, **Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, New Jersey 08857,** for the Milling and Resurfacing of Broad Street, North Broad Street and West Jersey Street in the amount of $529,871.05; and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have complied with by **Black Rock Enterprises, LLC** ;and

WHEREAS, the City has received grants in the total amount of $679,832.00 from the New Jersey Department of Transportation (NJDOT) 2011 and 2012 Municipal Aid Programs for this project and the award is subject to approval of the NJDOT; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification No. 14-00156 charging the amount of $ 250,000.00 to Account No. X-04-55-999-X23-001 and Certification No. 14-00167, charging the amount of $279,871.05 to Account No. X-04-55-999-X45-001 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to the lowest responsible bidder, **Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, New Jersey 08857,** for the Milling and Resurfacing of Broad Street, North Broad Street and West Jersey Street, Elizabeth, New Jersey in the amount of $529,871.05; and be it

FURTHER RESOVLED the City has received grants in the total amount of $679,832.00 from the New Jersey Department of Transportation (NJDOT) 2011 and 2012 Municipal Aid Programs for this project and the award is subject to approval of the NJDOT.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted] Keenan, Cedeno, Mazza, and President Gallman - X 6

NEGATIVE: None

EXCUSED: Grova - 1

119

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Recreation has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for the Union County Open Space, Recreation & Historic Preservation - Kids Recreation Trust Grant Program for an amount not to exceed $172,000.00; and

WHEREAS, the Union County Kids Recreation Trust is allocating funding, in matching grant dollars, for the expansion of recreational opportunities within municipalities. This allows each municipality to address their specific needs with regard to summer recreational programming and improvements; and

WHEREAS, with this anticipated funding, the Department of Recreation will work with the Elizabeth Conservancy to construct an Environmental Education Center on Third Avenue and Doyle Street. The Center will include interpretive displays, a "green" reference library, multi-purpose room, green house and office space; and

WHEREAS, the Elizabeth Conservancy has received Green Acres funding, however it requires a matching portion of funding. The Kids Recreation Trust Fund award is anticipated to be applied to the project in order to meet that requirement; and

WHEREAS, through this grant opportunity, the City of Elizabeth will support the creation of a new recreational facility, which will increase opportunities for our residents; now, therefore, be it

RESOLVED that the City Council authorizes the proper City Officials to apply, accept, and execute all appropriate documents for the Union County Open Space, Recreation and Historic Preservation Kids Recreation Trust Fund in an amount not to exceed $172,000.00 to work with the Elizabeth Conservancy to construct and Environmental Education Center on Third Avenue and Doyle Street.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby amends Chapter 10.44.020 of the Code of the City of Elizabeth to delete the handicapped parking spaces at premises commonly known as: **601 Third Avenue, 648 Jefferson Avenue, 926 ½ South Street and 917 McLain Street, Elizabeth, New Jersey** in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the **Elizabeth Latin Chamber of Commerce, (CAMACOL) 605 Elizabeth Avenue, Elizabeth, New Jersey 97206** in conjunction with Melly Mell Productions has requested permission to conduct the 31st Annual Carnival Elizabeth to be held on Labor Day Weekend, September 1 and September 2, 2013 on Elizabeth Avenue from New Point Road to Fourth Street between the hours of 1:00 p.m. to 9:00 p.m.; and

WHEREAS, in case of inclement weather the **Elizabeth Latin Chamber of Commerce** has requested a rain date for August 31, 2013, but not more than two (2) days; and

WHEREAS, the **Elizabeth Latin Chamber of Commerce** requested permission to use string banners along Elizabeth Avenue within designated areas; and

WHEREAS, alcoholic beverages must be served in paper or plastic cups only. No beverages in glass or glass containers shall be served; and

WHEREAS, this City Council deems it in the best interest of the City of Elizabeth to grant said permission under certain conditions; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby grants permission to the **Elizabeth Latin Chamber of Commerce, (CAMACOL) 605 Elizabeth Avenue, Elizabeth, New Jersey 97206** in conjunction with Melly Mell Productions to conduct the 31st Annual Carnival Elizabeth to be held on Labor Day Weekend, September 1 and September 2, 2013 on Elizabeth Avenue from New Point Road to Fourth Street between the hours of 1:00 p.m. to 9:00 p.m. on the condition that it comply with all provisions contained in Chapter 12.56 of the Code of the City of Elizabeth; and be it

FURTHER RESOLVED that the **Elizabeth Latin Chamber of Commerce** is permitted to use string banners along Elizabeth Avenue within the designated area for the period of the festival; and be it

FURTHER RESOLVED that alcoholic beverages must be served in paper or plastic cups only. No beverages in glass or glass containers shall be served. The music from the stages will cease at 7:00 p.m. on each night, the serving of beer shall cease at 8:00 p.m. each night and all vendors shall close at 8:00 p.m. each night; and be it

FURTHER RESOLVED that August 31, 2013 is designated as a rain date but in no event shall the festival be more than two (2) days.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that pursuant to the provisions of **N.J.S.A.** 40A:9-120, City Council of the City of Elizabeth does hereby appoint, **Mr. Stavros E. Korelis, 745 Rahway Avenue, Elizabeth, New Jersey**, to serve as a Constable for a term of three (3) years effective from date of appointment; the said **Mr. Stavros E. Korelis**, having been investigated and approved by the Department of Police; and be it

FURTHER RESOLVED that the said **Mr. Stavros E. Korelis,** shall deliver to the City Clerk within thirty (30) days of the date of appointment a surety bond in the sum of $1,000.00 in order to insure the faithful performance of his duties; that upon failure to deliver such surety bond within the time stated herein, said office shall be deemed vacant, pursuant to **N.J.S.A**. 40A:9-120.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Ronald Zach v. City of Elizabeth, Docket No.: CP No: 2012-20484**; and

WHEREAS, the Law Department and Robert F. Varady, Esq. have recommended settlement in the amount of $17,820.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-00036 charging the amount of $17,820.00 to Account No. 04-21-56-249 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby approves and authorizes the settlement of the claim in an amount of $17,820.00 payable to **Ronald Zach, 46 East Parkway Village, Cranford, New Jersey 07016, and Attorney for the Plaintiff: Ricci Fava, LLC, 482, Notch Road, Woodland Park, New Jersey 07424.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested a declaration of September 2013 Prostate Cancer Awareness Month in the City of Elizabeth; and

WHEREAS, according to the American Cancer Society, prostate cancer is second most common cancer and leading cause of cancer death amongst American men. In 2013, an estimated 238,590 new cases of Prostate Cancer will be diagnosed and 29,720 men will die. Locally 1 out of 6 men will be diagnosed and 1 out of 36 will die; and

WHEREAS, during Prostate Cancer Awareness Month, the Department of Health and Human Services plans on implementing activities and events to raise public awareness, inform residents about pre-cancer screenings in conjunction with Trinitas Hospital and encourage an overall healthy community; and

WHEREAS, Prostate Cancer occurs mainly in men aged 65 and older; however, the chance of acquiring it increases rapidly after age 50. It can often be found early by conducting a blood test and physical exam. Since the use of early detection tests in 1990, the Prostate Cancer death rate has dropped. It is recognized that Prostate Cancer occurs most often in African American men, especially if an immediate family member has been previously diagnosed in those cases, men should be screen as early as age 40; and

WHEREAS, early Prostate Cancer has no symptoms, men should be encouraged to go for pre-cancer screening during Prostate Cancer Awareness Month; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth declares them month of September, 2013 as Prostate Cancer Awareness Month in the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth supports President Obama's immigration reform proposal; and

WHEREAS, America's immigration system is broken. Too many employers game the system by hiring undocumented workers, There are 11 million people living in the shadows. Neither is good for the economy or country. It is time to fix the broken immigration system; and

WHEREAS, it is time to fix the broken immigration system in America in a way that requires both workers here illegally and those who hire them act responsibly and guarantees that everyone is playing by the same rules. With comprehensive immigration reform we will be able to strengthen our economy and strengthen our country's future; and

WHEREAS, President Obama's immigration reform proposal is a four part plan:

1. Continue to strengthen our borders.
2. Crack down on companies that hire undocumented workers.
3. Hold undocumented immigrants accountable before they can earn their citizenship; this means requiring undocumented workers pay taxes and a penalty, learn English, and pass background checks.
4. Streamline the legal immigration system for families, workers, and employers.

WHEREAS, reforming America's legal immigration system will strengthen our economy and allow us to maintain our competitive edge; and

WHEREAS, immigrant owned firms generate an estimated $775 billion in annual revenue, $125 billion in payroll and about $100 billion in income. A study conducted by the New American Economy found that over 40 percent of Fortune 500 companies were started by immigrants or children of immigrants; and

WHEREAS, immigrants are twice as likely to start businesses as native Americans, and statistics show that most job growth comes from small businesses; now, therefore, be it

RESOLVED that the City Council supports President Obama's immigration reform proposal for it will strengthen our economy and strengthen our country's future.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE: [redacted]

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

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

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

ALLIED OIL CO.	3-01-31-447	$	8,249.61
AVAYA, INC.	3-01-31-440	$	6,013.87
ELIZABETHTOWN GAS	3-01-31-446	$	7,345.97
HESS CORP – ELECTRIC	3-01-31-430	$	31,677.03
HESS CORP – GAS	3-01-31-446	$	260.86
LANGUAGE LINE SERVICES	3-01-31-440	$	626.14
NRG BUSINESS SOLUTIONS	3-01-31-430	$	4,281.42
PSE&G	3-01-31-436	$	145,522.23
SOUTH JERSEY ENERGY	3-01-31-435	$	24,702.51
SPRINT	3-01-31-440	$	1,813.57
USA MOBILITY	3-01-31-440	$	142.01
VERIZON	3-01-31-440	$	11,698.99
VERIZON WIRELESS	3-01-31-440	$	16,655.52
VERIZON COMMUNICATIONS, INC.	3-01-31-440	$	1,549.13

Which was adopted by the following vote:

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

NEGATIVE: None

July 23, 2013

BY COUNCIL AS A WHOLE:

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

ORGANIZATION	AG	B.L.	R.L.	DATE
Ss. Peter and Paul Russian Orthodox			5314	07-13-13
Sister of Charity of Saint Elizabeth			5315	07-30-13
Rotary Club of Elizabeth, NJ			5316	08-06-13

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY CONCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Nancy A Bottitta, 63; and

WHEREAS, Nancy was a lifelong resident of Elizabeth. She was employed by the Elizabeth Board of Education as an Administrative Secretary. She was previously employed with the YMCA for sixteen years; and

WHEREAS, Nancy was married for over thirty-five years to her childhood sweetheart, Anthony. Anthony Bottitta is employed by the City of Elizabeth as the Acting Superintendent of Public Building, Markets & Docks; and

WHEREAS, Nancy was a "devoted wife and friend". She had many life-long friends. She was caring, compassionate and had a great sense of humor. She had a great impact on many lives; and

WHEREAS, Nancy is survived by her husband Anthony; sisters-in-law, Eileen Cotroneo and Lisa Bottitta; brother-in-law, Christopher Bottitta; nephew PJ Cotroneo and many loving cousins' relatives and dear friends. She was predeceased by her beloved parents, George and Nancy Rinaldo (nee Mark); now, therefore, be it

RESOLVED that we, the members of City Council of the City of Elizabeth hereby express our sincere sorrow at the death of Nancy A. Bottitta; and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Franco Di'Amico, 69; and

WHEREAS, Franco was born in Calabria, Italy. He came to and settled in Elizabeth, NJ in 1961; and

WHEREAS, he was employed by Niel's Shoe Service, Elizabeth, NJ as an orthopedic shoemaker for over 40 years; and

WHEREAS, Franco was a loving and caring husband, father, grandfather and brother, he is survived by his beloved wife, Basilia (nee Perugini), sons, Thomas J. D'Amico, and Frank, and grandchildren Thomas C. Gabriella and Frank L. Di'Amico; now, therefore, be it

RESOLVED that we, the members of City Council of the City of Elizabeth hereby express our sincere sorrow at the death of Franco D'Amico; and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Geraldine (Strazzella) Malgieri, 86; and

WHEREAS, she received a degree in elementary education at Collegio Santa Rita in Naples, Italy; and

WHEREAS, in 1946 she married Gerardo "Jerry" Malgieri; and

WHEREAS, in 1947 Geraldine immigrated to the U.S. and to Elizabeth, N.J.; and

WHEREAS, she was a gentle, kind, caring and devoted wife, mother, mother-in-law, Grandmother, Aunt , Godmother and friend; and

WHEREAS, Geraldine's home was often open to everyone. She often took care of others, including strangers. Her love and care of others, especially children and the sick, is why she was given the nickname "the Italian Florence Nightingale" by her friends; and

WHEREAS, she was a member of the Vallatese ladies Society of Elizabeth for many years; and

WHEREAS, she was predeceased by her husband "Gerado "Jerry" Malgieri. She is survived by her devoted children, Carmine, Madeline, Carolyn and Camille, grandchildren, and a great-granddaughter; now, therefore, be it

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

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Ariel DeLaCruz , therefore, be it

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

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Naomi Smith, 91; and

WHEREAS, Mrs. Smith was a longtime member of New Zion Baptist Church in Elizabeth; and

WHEREAS, she was very loved by her neighbors and community; and

WHEREAS, she is survived by her husband, Carliss Smith and many other family members and ear friends; now, therefore, be it

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

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

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

Councilwoman Perkins-Auguste moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Gallman declared City Council adjourned at 8:30 p.m.

APPROVED

WILLIAM GALLMAN, JR.
President of City Council

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