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PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
June 26, 2012
7:30 p.m.

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

Council President Gonzalez announced that this regular meeting is listed in the "Annual Notice", as defined by Chapter 231, P.L. 1975, and that copies of the "Annual Notice" have been mailed or delivered to the Star Ledger, Home News and Tribune, and Cablevision of Elizabeth and posted and filed in the City Clerk's Office in compliance with the terms of the Open Public Meetings Law, Chapter 231, P.L. 1975 on December 27, 2011.

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

ABSENT: Cuesta - 1

ALSO PRESENT: Jorge Estrada, Special Counsel

PUBLIC SPEAKING

Ms. Alice Holzapfel, Magie Avenue, congratulated Council on the results of the election. She continued that they did a fantastic job – Best Wishes.

Ms. Holzapfel thanked City Council for their attendance at Jefferson Park Day Care's event.

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

PUBLIC HEARINGS

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4313** , entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR OCTAVIO ALAMEDA, 843 GARDEN STREET, ELIZABETH, NEW JERSEY 07202.

This ordinance was adopted on its first reading at the meeting of City Council held on **June 12, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **June 18, 2012**.

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

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

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4314** , entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4216, ADOPTED ON MAY 10, 2011, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR CARMEN CEDENO, 918 ROOSEVELT STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **June 12, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **June 18, 2012**.

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

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

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4315**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JOHN A. PADILLA, 533 GREEN STREET, ELIZABETH, NEW JERSEY 07202.

This ordinance was adopted on its first reading at a meeting of City Council held on **June 12, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **June 18, 2012**.

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

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

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated June 14, 2012, from the Business Administrator recommending the award of a contract to Ben Shaffer & Associates, Inc., P.O. Box 844, Lake Hopatcong, NJ, for the purchase of playground and park equipment for the Recreation and Public Works Departments for the period of May 31, 2012 through May 31, 2014, at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:
Letter dated June 14, 2012, from the Business Administrator recommending the award of a contract to David Weber Oil Co., 601 Industrial Road, Carlstadt, NJ, for automotive lubricants, oils, grease and hydraulic oils for various departments for the period of May 29, 2012 through May 29, 2014, at a cost not to exceed $200,000.00.
Which was received.

By the Clerk:
Letter dated June 15, 2012, from the Business Administrator recommending the award of a contract to Cleveland Auto & Tire Co., 462 Third Avenue, Elizabeth, NJ, for tires and tubes for the Public Works, Police and Fire Department vehicles for the period of June 8, 2012 through July 8, 2012, at a cost not to exceed $25,000.00.
Which was received.

COMMUNICATIONS

By the Clerk:
Letter dated June 15, 2012, from the Business Administrator recommending the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, NJ, for reflective sheeting for the Public Works Department for the period of May 31, 2012 through April 30, 2014, at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:
Letter dated June 15, 2012, from the Business Administrator recommending the award of a contract to Celebrity Ford, D/B/A Beyer Ford, 175 Route 10, East Hanover, NJ, for the purchase of three (3) 2013 Ford Explorers in the amount of $70,515.00.
Which was received.

By the Clerk:
Letter dated June 18, 2012, from the Business Administrator recommending the award of a contract to Garden State Precast, Inc., 1630 Wyckoff Road, Wall Township, NJ, for the purchase of NJ Type Barrier or approved equal to be used to secure gas tanks located on Third Avenue as part of a project funded through Homeland Security in the amount of $80,892.00.
Which was received.

By the Clerk:
Letter dated June 18, 2012, from the Business Administrator recommending the award of a contract to East Coast Emergency Lighting, 1945 4th Street, North Brunswick, NJ, for the purchase of lights, sirens, electrical wiring, etc., for eight (8) 2012 Chevrolet Caprices for the Police Department at a total cost of $61,344.64.
Which was received.

By the Clerk:
Letter dated June 18, 2012, from the Business Administrator requesting that your Honorable Body consider declaring August 7, 2012 National Night Out to be held at Thomas J. Hanratty Field from 6 p.m. to 8 p.m.
Which was received.

By the Clerk:
Letter dated June 19, 2012, from the Business Administrator requesting an amendment to a resolution adopted on April 27, 2010, awarding a contract to PSE&G to supply 14 Classic I Poles for the Elizabeth Avenue Streetscape – Phase 2 at a cost of $28,217.22, specifically to change the style of 14 Classic I Poles to 7 Tall Deco Poles at an additional cost of $21,574.77, raising the amount of the contract to $49,791.99.
Which was received.

By the Clerk:
Letter dated June 19, 2012, from the Business Administrator recommending the award of a contract to Public Service Electric & Gas Co., 472 Weston Canal Road, Somerset, NJ, for the purchase of sixteen (16) 25 foot Deco Poles with attachments for the North Broad Street Streetscape Project between Commerce Place and Chestnut Street in the amount of $110,299.40.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated June 19, 2012, from the Business Administrator recommending authorizing the execution of a lease agreement between the City of Elizabeth and 207 Broad LLC, c/o Paramount Property Management for the Municipal Court Annex - 208 Commerce Place, term of the lease shall be for fifteen (15) years, concluding in August 21, 2027 with an opt out option after seven (7) years at a rate of $131,400 per annum for the first seven (7) years and $154,000.00 per annum for the remaining years, excluding a charge of $500 per month for maintenance and cleaning of the common area.
Which was received.

By the Clerk:
Letter dated June 18, 2012, from the First Assistant City Attorney requesting that your Honorable Body consider rescinding Ordinance No. 4265, adopted on November 22, 2011, vacating a portion of New Point Road between Sixth Street and Broadway and to adopt an Ordinance containing the correct metes and bounds description for the vacation.
Which was received.

By the Clerk:
Letter dated June 6, 2012, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel the tax lien records premiums in the amount of $128,000.00 and said sum be credited to Miscellaneous Revenue Not Anticipated.
Which was received.

By the Clerk:
Letter dated June 6, 2012, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel certain tax credits, as set forth in the attached schedule, for tax years 2003 and 2004 in the amount of $121,020.84 and said sum be credited to Miscellaneous Revenue Not Anticipated.
Which was received.

By the Clerk:
Letter dated June 19, 2012, from the Chief Financial Officer advising that transfers for the 2012 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated June 19, 2012, from the Chief Financial Officer requesting authorization for the Mayor to enter into a tax abatement agreement with the Oaks at Westminster Urban Renewal LLC, c/o Community Investment Strategies, 1970 Brunswick Avenue, Lawrenceville, NJ, to renovate the interior of 350 Irvington Avenue.
Which was received.

By the Clerk:
Letter dated June 15, 2012, from the Director of Planning and Community Development requesting to amend the Urban Enterprise Zone Façade Improvement Program (#09-169), specifically to extend the contract until December 31, 2012.
Which was received.

By the Clerk:
Letter dated June 15, 2012, from the Director of Planning and Community Development requesting to amend the Urban Enterprise Zone Façade Improvement Program (#08-148), specifically to extend the contract until December 31, 2012.
Which was received.

[redacted]

[redacted]

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute a CDBG agreement with Jefferson Park Day Care Center, 485 Madison Avenue, Elizabeth, NJ, for the Summer Day Camp Program for the period of July 1, 2012 through October 31, 2012 in the amount of $23,475.00.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute a CDBG agreement with United Youth of New Jersey, Inc., 548 Walnut Street, Elizabeth, NJ, to purchase a computer for the agency's summer and after school programs for the period of July 1, 2012 to June 30, 2013, in the amount of $4,140.23.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute a CDBG agreement with Jefferson Park Day Care Center, Inc., 485 Madison Avenue, Elizabeth, NJ, to provide funds to replace the brick steps and concrete sidewalk at the agency's 1090 Mary Street location for the period of July 1, 2012 to October 31, 2012 in the amount of $8,700.00.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting to modify the Rental Housing Program Loan with New Jersey Community Development Group, LLC, on the property located at 1006-1014 Emma Street in the amount of $385,000.00, specifically to increase the HOME loan by $127,482.00, thereby raising the amount of the loan to $512,482.00.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development, on behalf of Colombianos Sin Fronteras, Inc, is requesting permission to place a wooden welcome sign in the Morris Avenue business district to be located on the traffic island on the corner of Julian Place and Morris Avenue which will read; "Welcome to the Colombian District/Bienvenidos al Distrito Colombiano, displaying the Seal of the City of Elizabeth, the Colombian national seal, the Colombianos Sin Fronteras logo and the date July 1, 2012, symbolic of the unveiling date of the sign which coincides with the 2012 Colombian Independence Day Parade.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to submit an Urban Enterprise Zone proposal for Zone Assistance Funds to be transferred from the Elizabeth Avenue Streetscape Project - Phase 4, to fund four (4) Police Officers salaries and benefits in the amount of $416,227.00 with a 20% match of funding provided by the City in the amount of $104,057.00 for a total project cost of $520,284.00 for the period of July 1, 2012 through June 30, 2013.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to submit an Urban Enterprise Zone proposal for Zone Assistance Funds transferred from the Elizabeth Avenue Streetscape Project – Phase 4, to the Commercial District Security Program in the amount of $287,560.00 with a 30% match of funding provided by the City in the amount of $123,240.00 for a total project cost of $410,800.00 for the period of July 1, 2012 through June 30, 2013.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to submit an Urban Enterprise Zone proposal for Zone Assistance Funds for the UEZ Financial Lending Programs – Phase 6, to finance the continuation and administration of the successful UEZ Loan Programs for the period of July 1, 2012 through June 30, 2013, in the amount of $1,145,762.00.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to submit an Urban Enterprise Zone proposal for Zone Assistance Funds for the Elizabeth Avenue Partnership SID – Year 12 for the period of July 1, 2012 through June 30, 2013, in the amount of $83,531.25.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to submit an Urban Enterprise Zone proposal for Zone Assistance Funds for the City of Elizabeth's Graffiti & Litter Removal Program – Phase 6, in the amount of $114,747.00 with a 20% match of funding provided by the City in the amount of $28,687.00 for the period of July 1, 2012 through June 30, 2013.
Which was received.

By the Clerk:

Letter dated June 15, 2012, from the Director of Planning and Community Development requesting that your Honorable Body consider approving the 2013 Urban Enterprise Zone Administrative budget in the amount of $197,577.00 from anticipated Urban Enterprise Zone Assistance Funds and, in addition, authorize the proper City officials to enter into an agreement with the Elizabeth Development Company for the administration of the Urban Enterprise program as well as the UEZ Second Generation Funds for FY 2012 for the period of July 1, 2012 through June 30, 2013.
Which was received.

By the Clerk:

Letter dated June 18, 2012, from the Director of Planning and Community Development requesting to amend the resolution adopted July 26, 2005 authorizing the proper City officials to provide HOME funds to Brand New Day, Inc., for the construction of ten (10) affordable housing units in the amount of $490,000.00, specifically to reduce the number of units to six (6) units.
Which was received.

RESOLUTIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated June 18, 2012, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Transportation's Transportation Enhancement Program to implement sidewalk, curbing, lighting as well as green and aesthetic improvements on East Grand Street from Broad Street to Jefferson Avenue in an amount not to exceed $500,000.00.
Which was received.

By the Clerk:
Letter dated June 18, 2012, from the Director of Public Works requesting approval of Contract Amendment No. 2 to the contract awarded to Maser Consulting P.A., for the design of improvements to the Front Street fields at an original cost of $214,400.00 to provide further for environmental services at the Front Street Fields at an additional cost not to exceed $36,500.00 which combined with previous Contract Amendment, raises the contract to $280,150.00.
Which was received.

By the Clerk:
Letter dated April 11, 2012, from the Director of Recreation requesting authorization for the proper City officials to execute the agreement with the State of New Jersey, Department of Education Sponsor Management Plan for the 2012 Summer Food Service Program commencing July 2, 2012 through August 23, 2012, at no cost to the City.
Which was received.

By the Clerk:
Letter dated April 11, 2012, from the Director of Recreation requesting authorization for the proper City officials to execute the agreement with the State of New Jersey for the Summer Food Nutrition Program commencing on July 2, 2012 through August 23, 2012, at no cost to the City.
Which was received.

By the Clerk:
Letter dated April 11, 2012, from the Director of Recreation requesting authorization for the proper City officials to execute an agreement with the Elizabeth Board of Education for the purpose of providing food vendor services for the period of July 2, 2012 through August 23, 2012, at no cost to the City.
Which was received.

By the Clerk:
Letter dated June 13, 2012, from the Fire Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the 2012 Assistance to Firefighters Grant Program to fund the purchase of a driving simulator and back-up cameras for the fire apparatus in an amount not to exceed $350,000.00.
Which was received.

By the Clerk:
Letter dated June 6, 2012, from Lightower Fiber Networks, 1377 Motor Parkway, Suite 206, Islandia, NY, requesting approval to install fiber optic cable in conduits and on poles owned by Verizon and PSE&G along public easement areas.
Which Was Referred To Council As A Whole.

ORDINANCES ON FIRST READING

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4316** , which was seconded by Councilman Gallman, entitled:

AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF ELIZABETH AND 207 BROAD LLC, c/o PARAMOUNT PROPERTY MANAGEMENT, FOR THE USE OF PREMISES LOCATED AT 208 COMMERCE PLACE, ELIZABETH, NEW JERSEY AS THE ELIZABETH COURT ANNEX.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4317** , which was seconded by Councilman Gallman, entitled:

AN ORDINANCE TO VACATE A PORTION OF NEW POINT ROAD BETWEEN SIXTH STREET AND BROADWAY IN THE CITY OF ELIZABETH COUNTY OF UNION AND STATE OF NEW JERSEY AND TO RESCIND ORDINANCE NO. 4265.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that public notice will be published fixing Tuesday, July 24, 2012 , at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct public hearings and further consider the foregoing Ordinance Nos. 4316 and 4317, adopted on first reading.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated June 26, 2012, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, June 22, 2012.

Which was received.

ORDINANCES ON FINAL PASSAGE

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4313** , which was seconded by Councilman Gallman:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR OCTAVIO ALAMEDA, 843 GARDEN STREET, ELIZABETH, NEW JERSEY 07202.

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

SECTION 1. - A personalized handicapped parking space for **Octavio Alameda** established in front of **843 Garden Street, Elizabeth, New Jersey 07202,** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the North curb line of Garden Street beginning at a point 271' East of Edgar Road and continuing 22' East thereof.

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

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

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

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

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The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **June 12, 2012.**

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **June 18, 2012.**

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

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4314** , which was seconded by Councilman Gallman:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4216, ADOPTED ON MAY 10, 2011, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR CARMEN CEDENO, 918 ROOSEVELT STREET, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 4216 is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **June 12, 2012.**

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **June 18, 2012.**

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4315** , which was seconded by Councilman Gallman::

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JOHN A. PADILLA, 533 GREEN STREET, ELIZABETH, NEW JERSEY 07202.

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

SECTION 1. - A personalized handicapped parking space for **John A. Padilla** established in front of **533 Green Street, Elizabeth, New Jersey** 07202, as follows and pursuant to the recommendation of the Elizabeth Police Director: along the West curb line of Green Street beginning at a point 414' South of Garden Street and continuing 22' South thereof.

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **June 12, 2012.**

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **June 18, 2012.**

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

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

NEW BUSINESS

By City Council as a Whole:

Resolved, that the following transfers be made in the FY2012 Municipal Budget appropriations:

Account	Type	Description	Amount
		Transfers To:	
20-105-PER	Salaries & Wages	Personnel Department	600.00
26-305-REY	Salaries & Wages	Recycling	2,400.00
28-370-REC	Salaries & Wages	Recreation	146,000.00
26-290-EYM	OE	Equipment Yard Maintenance	50,000.00
26-310-BLD	OE	Bureau of Public Building	50,000.00
23-220-GIN	OE	Group Insurance	7,000.00
			256,000.00
		Transfers From:	
25-265-FIR-100	Salaries & Wages	Fire	100,000.00
26-300-SPT-100	Salaries & Wages	Streets Parks Trees	100,000.00
27-330-OYS-100	Salaries & Wages	Youth Services	56,000.00
		TOTAL	**256,000.00**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended per the request of the Purchasing Agent an award of a contract be made to **BEN SHAFFER & ASSOCIATES, INC., P. O. BOX 844, Lake Hopatcong, New Jersey 07849,** for the purchase of Playground and Park Equipment for the Recreation and Public Works Departments for the period of May 31, 2012 through May 31, 2014 at a cost not to exceed $100,000.00 under State Contract No. 81415; and

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

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through State of New Jersey Contract No. 81415 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 by City Council of the City of Elizabeth that a contract be awarded to **BEN SHAFFER & ASSOCIATES, INC., P. O. BOX 844, Lake Hopatcong, New Jersey 07849,** for the purchase of Playground and Park Equipment for the Recreation and Public Works Departments for the period of May 31, 2012 through May 31, 2014 at a cost not to exceed $100,000.00 under State Contract No. 81415.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, ~~Cruz-Acosta~~, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and Purchasing Agent has recommended per the request of the Director of the Department of Public Works an award of a contract to **David Weber Oil Company, 601 Industrial Road, Carlstadt, New Jersey 07072,** for Automotive Lubricants, Oils, Grease and Hydraulic Oils for various departments for the period of May 29, 2012 through May 29, 2014 at a cost not to exceed $200,000.00 under State Contract No. 81519; and

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

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 81519 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 **David Weber Oil Company, 601 Industrial Road, Carlstadt, New Jersey 07072,** for Automotive Lubricants, Oils, Grease and Hydraulic Oils for various departments for the period of May 29, 2012 through May 29, 2014 at a cost not to exceed $200,000.00 under State Contract No. 81519.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator the Purchasing Agent per the request of the Director of the Department of Public Works have recommended the award of a contract to **CLEVELAND AUTO & TIRE COMPANY, 462 Third Avenue, Elizabeth, New Jersey 07206,** for Tires and Tubes for Department of Public Works, Police and Fire Department vehicles for the period of June 8, 2012 through July 8, 2012 at a cost not to exceed $25,000.00 under State Contracts No. 71687, and No.71688; and

WHEREAS, State 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, 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 under the State Contracts No. 71687 and No. 71688 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.** 5:34-1.2; now, therefore, be it ; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **CLEVELAND AUTO & TIRE COMPANY, 462 Third Avenue, Elizabeth, New Jersey 07206,** for Tires and Tubes for Department of Public Works, Police and Fire Department vehicles for the period of June 8, 2012 through July 8, 2012 at a cost not to exceed $25,000.00 under State Contracts No. 71687 and No.71688.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent per the request of the Director of Public Works have recommended the award of a contract to **GARDEN STATE HIGHWAY PRODUCTS, 1740 East Oak Road, Vineland, New Jersey 08361,** for Reflective Sheeting for the Public Works Department for the period of May 31, 2012 through April 30, 2014 at a cost not to exceed $100,000.00 under their State Contract No. 81444; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract under the State Contract No. 81444 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 by the City Council of the City of Elizabeth that an award of contract be made to **GARDEN STATE HIGHWAY PRODUCTS, 1740 East Oak Road, Vineland, New Jersey 08361** for Reflective Sheeting for the Public Works Department for the period of May 31, 2012 through April 30, 2014 at a cost not to exceed $100,000.00 under their State Contract No. 81444.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Department of Public Works the award of a contract to **CELEBRITY FORD, D/B/A/ Beyer Ford, 175 Route 10, East Hanover, N.J. 07936**, for the purchase of Three (3) 2013 Ford Explorers in the amount of $70,515.00 under State Contract No. 78762; and

WHEREAS, these vehicles are being purchased, to replace the following vehicles that are being scrapped. Vehicle #24-1998 Dodge Caravan, Vehicle #39-2002 Chevy Blazer, Vehicle #120-1995 Jeep Grand Cherokee for the Public Works Department at a cost of $70,515.00 under their State contract No. 78762; and

WHEREAS, State Contracts are exempt from the provisions of Chapter 2.92.010 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. 12-09579, charging the amount of $70,515.00 to Account No. X-04-55-999-X39-001, 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. 78762 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 **CELEBRITY FORD, D/B/A/ Beyer Ford, 175 Route 10, East Hanover, N.J. 07936**, for the purchase of Three (3) 2013 Ford Explorers in the amount of $70,515.00 under State Contract No. 78762.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent concur with the Police Director and recommend an award of a contract to the sole bidder, **GARDEN STATE PRECAST, INC., 1630 Wyckoff Road, Wall Township, N. J. 07719**, for the purchase of NJ Type Barrier or Approved Equal in the amount of $80,892.00; and

WHEREAS, a total of 107 barriers will be purchased at a cost of $756.00 each. They will be used to secure gas tanks located on Third Ave., as part of a project funded through Homeland Security; and

WHEREAS, the Chief Financial Officer has certified sufficient funds are available and appropriated for this purpose and Certification No. 12-09581 charging the amount of $80,892.00 to Account No. G-02-41-764-12 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 an award of a contract to the **GARDEN STATE PRECAST, INC., 1630 Wyckoff Road, Wall Township, N. J. 07719**, for the purchase of NJ Type Barrier or Approved Equal in the amount of $80,892.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Police Department the award of a contract to **EAST COAST EMERGENCY LIGHTING, 1945 4TH Street, North Brunswick, N.J. 08902,** for the purchase of Lights, Sirens, Electrical Wiring, etc., for Eight (8) 2012 Chevrolet Caprices for the Police Department at a cost of $61,344.64 under State Contract No. 74184; and

WHEREAS, State Contracts are exempt from the provisions of Chapter 2.92.010 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. 12,09609, charging the amount of $61,344.64 to Account No. 2-01-25-240-POL-307, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 74184 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 **EAST COAST EMERGENCY LIGHTING, 1945 4TH Street, North Brunswick, N.J. 08902,** for the purchase of Lights, Sirens, Electrical Wiring, etc., for Eight (8) 2012 Chevrolet Caprices for the Police Department at a cost of $61,344.64 under State Contract No. 74184.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and Purchasing Agent have advised that the North Broad Street Streetscape Project between Commerce Place and Chestnut Street requires the installation of (16) 25 foot Deco Poles with attachments by PSE&G in the amount of $110,299.40; and

WHEREAS, the Business Administrator recommends an award a contract to **PUBLIC SERVICE ELECTRIC & GAS CO., 472 Weston Canal Road, Somerset, New Jersey 08873**, for the purchase of (16) 25 foot Deco Poles with attachments by PSE&G in the amount of $110,299.40; and

WHEREAS, the New Jersey Public 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 12-09632, charging the amount of $110,299.40 to Account No. X-04-55-999-X42-001, 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 an award of a contract to **PUBLIC SERVICE ELECTRIC & GAS CO., 472 Weston Canal Road, Somerset, New Jersey 08873**, for the purchase of (16) 25 foot Deco Poles with attachments by PSE&G in the amount of $110,299.40.

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

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised on April 27, 2012 City Council adopted a resolution to award a contract to PSE&G to supply 14 classic I Poles for the Elizabeth Ave. Streetscape – Phase 2 at a cost of $28,217.22. During construction, utility conflicts were encountered in the areas where the Classic I Poles were to be installed, and in order to avoid any more conflicts or delays it was determined that the poles should be change to Tall Delco Poles with pedestrian lights which are being used on Broad Street. These poles are installed on the existing cobra pole bases, thereby eliminating the need to install new foundations. This project will require Seven (7) Tall Deco Poles at a cost of $49,791.99. These poles will be installed and maintained by PSE&G; and

WHEREAS, the Business Administrator has requested to amend the contract with Public Service Electric & Gas Co., 472 Weston Canal Road, Somerset, New Jersey 08873, to change the style of 14 Classic I Poles to 7 Tall Deco Poles at an additional cost of $21,574.00, amending the total of the contract from $28,217.22 to the new contract total of $49,791.99; and

WHEREAS, this project is being funded by a grant in the amount not to exceed $537,814.00 administered by the Federal Highway Administration through the New Jersey Department of Transportation with the remaining funding provided under the Urban Enterprise Zone Assistance Fund, Project No. 07-151; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No 12-09641, charging the amount of $21,574,77 to Account No. G-02-41-760-10, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore be it

RESOLVED that the City Council of the City of Elizabeth authorizes the amendment to the contract with **PSE&G, 472 Weston Canal Road, Somerset, New Jersey, 08873**, to change the style of 14 Classic I Poles to Seven (7) Tall Deco poles at an additional cost of $21,574.77, amending the total of the contract from $28,217.22 to the new contract total of $49,791.99.

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

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Department of Planning and Community Development has requested to execute a CDBG contract with **Jefferson Park Day Care Center, Inc., 485 Madison Avenue, Elizabeth, New Jersey 07201**, for the Summer Day Camp Program for the period July 1, 2012 through October 31, 2012 in the amount of $23,475.00; and

WHEREAS, funds will be used for the agency's "wraparound-summer recreational/educational program. The program focuses on low-moderate income children aged three years old; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-09653 charging the amount of $23,475.00 to Account No. T-22-56-012-PBS-326, of the Municipal Budget are on file in the Office of the Municipal Clerk; and

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

WHEREAS, the Director of the Planning and Community Development has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be it

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a CDBG agreement with **Jefferson Park Day Care Center, Inc., 485 Madison Avenue, Elizabeth, New Jersey 07201,** for the Summer Day Camp Program for the period July 1, 2012 through October 31, 2012 in the amount of $23,475.00.

2. Quotations were not solicited because of the unique nature of the Contractor that is able to accommodate both large and small projects at value for non-profit agency within the City of Elizabeth offering educational and recreational programs for low-moderate income two year olds that involve parents at an early stage in their development.

3. The nature of the service provided requires experience and extensive training in teaching, counseling, and childhood education.

4. The performance of the service cannot be reasonably described by written specifications as each child varies in terms of motivation, skill, previous achievements, and family history.

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

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to execute an agreement with **UNITED YOUTH OF NEW JERSEY, INC., 548 Walnut Street, Elizabeth, New Jersey 07207,** to be used to purchase a computer for the agency's summer and after-school programs in the amount of $4,140.23. The term will extend from July 1, 2012 to June 30, 2013. Funds will be taken from the CDBG holding account; and

WHEREAS, the goal of the program is for youngsters to develop proper study habits, overcome specific academic challenges, and to encourage creativity and increase communication skills. The program encourages youngsters to develop a sense of accomplishment, interpersonal skills, discipline and perseverance, and the necessity of setting group and individual goals; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-09652 charging the amount of $4,140.23 to Account Number T-22-56-012-PBX-328 of the Municipal Budget, is on file in the Office of the City Clerk; and

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

WHEREAS, the Director of the Department of Planning and Community Development has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be it

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement **UNITED YOUTH OF NEW JERSEY, INC., 548 Walnut Street, Elizabeth, New Jersey 07207,** to be used to purchase a computer for the agency's summer and after-school programs in the amount of $4,140.23. The term will extend from July 1, 2012 to June 30, 2013.
2. Quotations were not solicited because of the unique nature of the contractor specializing in providing computers specifically for children for education purposes.

3. The nature of the service provided requires experience and extensive training in computer development for education purposes.

4. The performance of this service cannot be reasonably described by written specifications as updates are constantly requested.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Department of Planning and Community Development has requested to execute a CDBG contract with **Jefferson Park Day Care Center, Inc. , 485 Madison Avenue, Elizabeth, New Jersey 07201,** to replace the brick steps and concrete sidewalk at the agency's 1090 Mary Street, Elizabeth, New Jersey location for the period July 1, 2012 through October 31, 2012 in the amount of $8,700.00; and

WHEREAS, the agency uses the facility to provide counseling to children who attend their day care center; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-09657 charging the amount of $8,700.00 to Account No. T-22-56-012-PBF-327, of the Municipal Budget are on file in the Office of the Municipal Clerk; and

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

WHEREAS, the Director of the Planning and Community Development has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be it

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a CDBG agreement with **Jefferson Park Day Care Center, Inc. 485 Madison Avenue, Elizabeth, New Jersey 07201,** to replace the brick steps and concrete sidewalk at the agency's 1090 Mary Street, Elizabeth, New Jersey location for the period July 1, 2012 through October 31, 2012 in the amount of $8,700.00.

2. Quotations were not solicited because of the unique nature of the Contractor that is able to accommodate both large and small projects at value for non-profit agencies.

3. The nature of the service provided requires experience and extensive training in construction work.

4. The performance of the service cannot be reasonably described by written specifications as change orders may be necessary during the course of the project.

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

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - X 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Recreation has requested the execution of an Agreement between the State of New Jersey Department of Education and the City of Elizabeth regarding the Sponsor Management Plan for the 2012 Summer Food Service Program at no cost to the City of Elizabeth; and

WHEREAS, this Agreement shall be effective with respect to meals served during the period commencing July 2, 2012 and concluding August 23, 2012; now, therefore be it

RESOLVED by the City Council of the City of Elizabeth that the Mayor and the City Clerk are hereby authorized to execute an agreement with the State of New Jersey Department of Education regarding the Sponsor Management Plan for the 2012 Summer Food Service Program during the period commencing July 2, 2012 and concluding August 23, 2012, at no cost to the City; and be it

FURTHER RESOLVED that the Mayor and City Clerk and any other proper City officials are authorized to execute all documents in connection therewith.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Recreation has requested the execution of an Agreement between the State of New Jersey and the City of Elizabeth for funding for the Summer Food Nutrition Program at no cost to the City of Elizabeth; and

WHEREAS, this Agreement shall be effective with respect to meals served during the period commencing July 2, 2012 and ending August 23, 2012; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth that the Mayor and the City Clerk are hereby authorized to execute an agreement with the State of New Jersey regarding funding for the Summer Food Nutrition Program during the period commencing July 2, 2012 and ending August 23, 2012 at no cost to the City of Elizabeth; and be it

FURTHER RESOLVED that the Mayor and City Clerk and any other proper City officials are authorized to execute all documents in connection therewith.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Recreation has requested the execution of an Agreement between the Elizabeth Board of Education and the City of Elizabeth for the purpose of providing food vendor services under the Summer Food Nutrition Program at no cost to the City of Elizabeth; and

WHEREAS, this Agreement shall be effective with respect to meals delivered during the period commencing July 2, 2012 and concluding August 23, 2012; now, therefore be it

RESOLVED by the City Council of the City of Elizabeth that the Mayor and the City Clerk are hereby authorized to execute an agreement with the Elizabeth Board of Education for the purpose of providing food vendor services under the Summer Food Nutrition Program during the period covering July 2, 2012 and concluding August 23, 2012 at no cost to the City; and b be it

FURTHER RESOLVED that the Mayor and City Clerk and any other proper City officials are authorized to execute all documents in connection therewith.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City officials to submit a contract amendment to the New Jersey Urban Enterprise Zone Authority for the use of City of Elizabeth Zone Assistance Funds UEZ Façade Improvement Program #08-148 and #09-169, specifically to extend the expiration date to December 31, 2012 which allows for the proper completion of the above mentioned project; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City officials to submit a contract amendment to the New Jersey Urban Enterprise Zone Authority for the use of City of Elizabeth Zone Assistance Funds for UEZ Façade Improvement Program #08-148 and #09-169, specifically to extend the expiration date to December 31, 2012 for the purposes set forth hereinabove.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to approve the 2013 UEZ Administrative Budget in the amount of $197,577.00 from anticipated UEZ Assistance Funds. The total budget will be derived from UEZ Administration working balance ($54,000.00) and UEZ project balance funds ($143,577.00); and

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization for the proper City officials to enter into an agreement with the Elizabeth Development Company (EDC), for the administration of the UEZ program as well as the UEZ Second Generation Funds for FY 2012 for the period July 1, 2012 through June 30, 2013; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the 2013 UEZ Administrative Budget in the amount of $197,577.00 from anticipated UEZ Assistance Funds. The total budget will be derived from UEZ Administration working balance ($54,000.00) and UEZ project balance funds ($143,577.00); and be it

FURTHER RESOLVED that the City Council of the City of Elizabeth authorizes the proper City officials to enter into an agreement with the Elizabeth Development Company (EDC), for the administration of the UEZ program as well as the UEZ Second Generation Funds for FY 2012 for the period July 1, 2012 through June 30, 2013.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, ~~Garcia~~, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

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

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

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal of Zone Assistance Funds for Police Security in the amount of $416,227.00. These funds will be transferred from UEZ Project #07-151 Elizabeth Avenue Streetscape Project Phase IV to fund four (4) Police Officers salaries and benefits. The contract is for the period July 1, 2012 through June 30, 2012; and.

WHEREAS, these Police Officers are assigned to duties exclusively within Elizabeth's Urban Enterprise Zone and to provide an enhanced level of service than is normally provided for outside the Zone; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority for Police Security of four (4) Police Officers in the amount of $416,227.00. These funds will be transferred from UEZ Project #07-151, Elizabeth Avenue Streetscape Project Phase IV to fund four (4) Police Officers salaries and benefits. The contract is for the period of July 1,2012 through June 30, 2013; and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal of Zone Assistance Funds for the Commercial District Security Program (Yr 17). This UEZ proposal will utilize Zone Assistance Funds transferred from UEZ Project #07-151 Elizabeth Ave. Streetscape Project Phase IV to provide for continued funding for walking police patrols in business districts throughout the City for a total project cost of $410,800.00. The contract is for the period July 1, 2012 through June 30, 2013; and

WHEREAS, proposed funding will allow for police officers to conduct walking patrols throughout the following business districts: Elizabeth Avenue, Broad Street, Morris Avenue, First Street, Third Street, Bayway Avenue, Elmora Avenue, North Broad Street, and the Historic Central Railroad Station. Additionally, an extra duty Police Sergeant will be utilized during peak shift hours to manage and oversee the various UEZ walking patrols; and

WHEREAS, the City will provide a 30% match in the amount of $123,240.00 for a total project cost of $410,800.00; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority for the Commercial District Security Program (Yr 17). This UEZ proposal will utilize Zone Assistance Funds transferred from UEZ Project #07-151 Elizabeth Ave. Streetscape Project Phase IV to provide for continued funding for walking police patrols in business districts throughout the City. The proposed funding will allow for police officers to conduct walking patrols throughout the following business districts: Elizabeth Avenue, Broad Street, Morris Avenue, First Street, Third Street, Bayway Avenue, Elmora Avenue, North Broad Street, and the Historic Central Railroad Station. Additionally, an extra duty Police Sergeant will be utilized during peak shift hours to manage and oversee the various UEZ walking patrols. The City will provide a 30% match in the amount of $123,240.00 for a total project cost of $410,800.00. The contract is for the period July 1, 2012 through June 30, 2013.; and be it

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

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

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

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

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal of Zone Assistance Funds for the UEZ Financial Lending Programs – Phase VI in the amount of $1,145,762.00. These funds will be utilized of finance the continuation and administration of the successful UEZ Loan Program. This contract is for the period July 1, 2012 through June 30, 2013; and

WHEREAS, this proposal will fund $939,052.00 in actual loan dollars, which will be transferred from the following closed-out UEZ projects: #08-41 ($775,615.73); #09-167 ($71,389.80); and #10-0112-00 ($ 92,046.47); and

WHEREAS, furthermore, $206,710.00 will be used to cover administrative expenses for the three UEZ Financial Lending Programs: Statewide Loan Pool Program, UEZ Commercial Loan Program, and UEZ Micro/Loan Program; and

WHEREAS, the $206,710.00 amount will be derived from:

UEZ Second Generation Funds Account earned interest ($189,000.00).

UEZ project #10-0112-00 ($17,710.00); now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority for the use of the City of Elizabeth Zone Assistance Funds in the amount of $1,145,762.00 for the Urban Enterprise Zone Financial Lending Programs – Phase VI, for the period July 1, 2012 through June 30, 2013; and be it

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

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, ~~Cuesta~~, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

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

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

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to submit a UEZ proposal of Zone Assistance Funds in the amount of $83,531.25 to provide funding for the Elizabeth Avenue Partnership Special Improvement District YR 12. The contract is for the period July 1, 2012 through June 30, 2013; and

WHEREAS, these funds will be transferred from the following UEZ Projects:

#05-95 Broad Street Streetscape Phase III ($77,978.00)

#10-0761-00 Elizabeth Avenue SID Budget ($3,999.00)

#08-104 Midtown Elizabeth Train Station Improvement ($1,554.25); and

WHEREAS, these funds will be used to cover various costs within the 2012-13 fiscal year budget included but not limited to: administration and operating expenses; and

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority Zone Assistance Funds in the amount of $83,531.25 to provide funding for the Elizabeth Avenue Partnership Special Improvement District YR 12. The contract is for the period July 1, 2012 through June 30, 2013; and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested approval to utilize $114,747.00 in Zone Assistance Funds to provide for funding of Elizabeth's Graffiti & Litter Removal Program – Phase 6 for the period July 1, 2012 through June 30, 2013; and

WHEREAS, these funds will be transferred from the following UEZ Projects:

#07-151 Elizabeth Avenue Streetscape Phase IV ($6,213.00)

#10-0760-00 Commercial District Security Program Year 15 ($30.018)

#10-0759-00 Police Security Project ($8,988.83)

#09-128 Commercial District Security ($47,203.41)

#08-104 Midtown Elizabeth Train Station Improvement ($22,323.76)

WHEREAS, these funds will be used to help eliminate graffiti and litter throughout the City of Elizabeth's UEZ Enterprise Zone. Specifically, the graffiti will be removed from properties located within Elizabeth's zone boundaries while the litter removal program will concentrate primarily on the City's major UEZ commercial corridors; and

WHEREAS, the City will provide a 20% match ($28,687.00) of which $23,687.00 will be used for personnel and $5,000.00 will be used for graffiti removal supplies; for a total project cost of $143,434.00; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City officials to utilize Zone Assistance Funds in the amount of $114,747.00 to provide for the funding of Elizabeth's Graffiti & Litter Removal Program – Phase 6 for the period July 1, 2012 through June 30, 2013, with the City providing a 20% match in the amount of $28,687.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE;

WHEREAS, the Director of the Department of Planning & Community Development has requested authorization to amend the resolution adopted August 23, 2011, which authorized a Rental Housing Deferred Payment loan to New Jersey Community Development Group, LLC, specifically to increase the loan an additional $127,482.00 due to unforeseen roofing problems, thereby raising the amount of the loan from $385,000.00 to $512,482.00, and for the proper City officials to execute all necessary documents to accomplish this; and

WHEREAS, this $1.3 million project is facing a funding shortfall in the amount of $135,000.00 resulting from unforeseen roofing problems requiring a full roof replacement. The New Jersey Community Development Group, LLC will be able to cover the balance of $7,518.00; and

WHEREAS, HOME funds in the amount of $127,482.00 were recently returned by a developer who did not comply with the affordability restrictions as per HOME Program regulations and these funds are available in our line of credit for reallocation, to another project; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an amendment to the resolution adopted August 23, 2011 which authorized a Rental Housing Deferred Payment loan to New Jersey Community Development Group, LLC, specifically to increase the loan an additional $127,482.00 due to unforeseen roofing problems, thereby raising the amount of the loan from $385,000.00 to $512,482.00 and for the proper City officials to execute all necessary documents to accomplish this; and be it

FURTHER RESOLVED that this authorization is specifically conditioned upon the execution of Mortgage Documents by New Jersey. Community Development Group, LLC increasing the amount of the loan to $512,482.00 and the release of funds in the amount of $127,482.00 from the City of Elizabeth's line of credit with HUD.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to amend the resolution adopted July 26, 2005, which authorized proper City officials to execute the necessary documents for **BRAND NEW DAY, INC ., 176 First Street, Elizabeth, New Jersey** to obtain HOME funds in the amount of $490,000.00 for the construction of ten (10) units of "For Sale" housing at 144-152 First Street and 108 South Park Street, specifically to reduce the number of units to six (6) units; and

WHEREAS, the reduction of units will enable the City to close out the project without any penalties or repayment requirements to HUD; and

WHEREAS, this project was funded with State funds all of the units will still be affordable to low and moderate income families; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an amendment to the resolution adopted July 27, 2005, which authorized City officials to execute the necessary documents for **BRAND NEW DAY, INC ., 176 First Street, Elizabeth, New Jersey** to obtain HOME funds in the amount of $490,000.00 for the construction of ten (10) units of "For Sale" housing at 144-152 First Street and 108 South Park Street, specifically to reduce the number of units to six (6) units for the reasons stated hereinabove.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, ~~Brooks~~, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on June 22, 2010 your Honorable Body authorized a resolution authorizing the City of Elizabeth to award a contract in the amount of $214,400.00 to **MASER CONSULTING, P.A., One River Centre- Building Two, 331** Newman Springs Road, Red Bank, New Jersey 07701, to provide for the design of improvements to the existing Front Street fields to include construction of synthetic turf for football and soccer as well as drainage and infrastructure improvements; and

WHEREAS, on Tuesday, April 12, 2011 your Honorable Body approved a resolution authorizing Contract Amendment No. 1 in the amount of $29,200.00 for environmental testing at the site prior to bidding the construction contract; and

WHEREAS, during the course of construction our contractor in conjunction with the City's Environmental Consultant performed required testing of the cap material (topsoil) and bank-run sand for acceptance to a disposal facility. Test results revealed exceedences of NJDEP Residential Direct Contact, Non-Residential Direct Contact and Impact to Groundwater limits, not previously recognized in the contract documents or tests. These unforeseen environmental conditions required sixty-two (62) soil samples, twenty-three (23) additional soil tests, analyzing of data, negotiations and project management by the City's Environmental Consultant. This work constitutes Contract Amendment No. 2. These additional services shall be at a cost not to exceed $36,550.00 for a total contract amount of $280,150.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-09784 charging the amount of $ 36,500.00 to Account No. X-04-55-999-X25-001, 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 Contract Amendment No. 2 awarded to **MASER CONSULTING, P.A., One River Centre-Building Two, 331 Newman Springs Road, Red Bank, New Jersey 07701**, at the Front Street field, specifically to provide further environmental services an additional cost not to exceed $36,500.00, for a total contract amount of $280,150.00.

Which was adopted by the following vote:

AFFIRMATIVE:	[redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - X 7
NEGATIVE:	None
EXCUSED:	**Perkins-Auguste - 1**

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has requested approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation's for the East Grand Street Transportation Enhancement Project for an amount not to exceed $500,000.00; and

WHEREAS, Transportation Enhancement funds are to be used only for projects with a direct transportation relationship that enhance quality-of-life while reaching the greatest number of people. Transportation enhancement activities are a means of more creatively and sensitively integrating transportation facilities into the surrounding communities; and

WHEREAS, with this anticipated funding, the City of Elizabeth anticipates implementing the East Grand Street Streetscape project. This initiative will include new sidewalks, curbing, lighting as well as green and aesthetic improvements on East Grand Street from Broad Street to Jefferson Avenue; and

WHEREAS, as a main thoroughfare, heavy volumes of vehicular and pedestrian traffic travel along East Grand Street. The aforementioned improvements would assist in improving overall pedestrian safety and travel along this busy passageway; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application, which will be assigned an identification number, determined upon its completion to the New Jersey Department of Transportation on behalf of the City of Elizabeth for an amount not to exceed $500,000.00.; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the City of Elizabeth and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there remains on the tax lien records premiums as listed on the attached schedule, that are in excess of five years old; or on liens that are foreclosed; and

WHEREAS, N.J.S.A. 54:5-33 states that premiums on accounts that still remain open in excess of five years, shall be turned over to the municipality , and

NOW, THEREFORE, BE IT RESOLVED, that the City Treasurer is hereby authorized to cancel the premiums totaling the amount of $128,000.00 and the sum of $128,000.00 be credited to Miscellaneous Revenue not anticipated.

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

Councilman Jackus stated that at the Conference held June 19, he asked about purchasing five (5) motorcycles. He continued that since Administration is transferring funds, a Harley Davidson runs approximately $25,000.00. He stated further that some of the motorcycles are very old and he would like to see this purchase added into the budget.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, certain tax credits in the previous years of 2003 and 2004 remain outstanding and unclaimed; and

WHEREAS, the retention period for these records is six years per the State Division of Archives, and the banking institution only retains records for a period of seven years, and

WHEREAS, the City auditors have recommended that all credits outstanding for such a length of time be cancelled and the total amount represented by such credits be received as Miscellaneous Revenue; now, therefore, be it

RESOLVED, that the City Treasurer is hereby authorized to cancel the following tax credits in the amount of $121,020.84 as set forth in the attached schedule for tax years 2003 and 2004 and the sum of $121,020.84 be credited to Miscellaneous Revenue not anticipated; and be it

FURTHER RESOLVED, that should any payee presenting adequate proof of payment at a future date, the City Treasurer is hereby authorized to issue a replacement check in the same amount and to charge the amount thereof to the contingent account.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Fire Director has requested authorization for the proper City officials to apply, accept and sign all appropriate documents for the 2012 Assistance to Firefighters Grant Program for an amount not to exceed $350,000.00; and

WHEREAS, this grant will allow the Elizabeth Fire Department to fund the purchase of items to include, but not limited to: a driving simulator and back-up cameras for the fire apparatus. These requested items will enable the Fire Department to more efficiently train firefighters on the effective operation of all vehicles. Furthermore, the incorporation of cameras will provide an additional level of safety for all by expanding the line of sight while reversing; and

WHEREAS, the Assistance to Firefighters Grant Program is offered through FEMA and U.S. Department of Homeland Security. It is designed to award one-year grants to fire departments of a State to enhance their abilities with respect to fire and fire-related hazards. Fire departments, such as Elizabeth, serving populations over 50,000 must agree to match the Federal grant funds with an amount of non-Federal funds equal to 20 percent of the total project cost; and

WHEREAS, the program seeks to support departments that lack the tools and resources necessary to protect the health and safety of the public and the fire-fighting personnel with respect to fire and fire related hazards; and

WHEREAS, the Elizabeth Fire Department will utilize the anticipated grant funds to better prepare and respond to the ever-resent new roles of municipal fire departments, yielding increased services for our residents and thus positively impacting the entire City; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City officials to execute all appropriate documents for the Year 2012 Assistance to Firefighters Program Grant in an amount not to exceed $350,000.00 to fund the purchase of a driving simulator and backup cameras for fire apparatus for a more efficient and effective response and safety services to the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **1023 Flora Street, Elizabeth, New Jersey 07201**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curbline of Flora Street

beginning at a point 314' West of Rt 1 & 9 South

and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **James DeCamp v. City of Elizabeth, et al, CP No.: 2004-15718, 2004-15720 & 2004-15721;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement for 45% of the right shoulder, less a credit of 40% of partial total for the prior award for a net reopener of $22,020.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No 12-09785` charging the amount of $22,020.00 to Account No. 02-21-56-249 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it4

RESOLVED that the City Council of the City of Elizabeth hereby approves and authorizes the settlement of the claim in an amount of $22,020.00 payable to **James DeCamp 621 Britton Street, Elizabeth, New Jersey 07202,** and the **Attorney for the Plaintiff, Wilentz, Goldman & Spitzer, P.A., 90 Woodbridge Center Drive, P. O. Box 10, Woodbridge, New Jersey 07095.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, National Night Out (NNO) Against Crime is an annual event focusing on neighborhood efforts against crime. The City of Elizabeth will be joining more than one thousand other communities nationwide in sponsoring special events on Tuesday, August 7, 2012 at Thomas J. Hanratty Field (Westfield Avenue), Elizabeth, New Jersey from 6:00 p.m. to 8:00 p.m.; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth proclaims, Tuesday, August 7, 2012 at Thomas J. Hanratty Field (Westfield Avenue), Elizabeth, New Jersey from 6:00 p.m. to 8:00 p.m as the Annual National Night Out (NNO) Against Crime.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, ~~Cucuta~~, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City of Elizabeth in the County of Union herein expresses its support of Senate Bill No. 2805 and Assembly Bill No. 960 which enacts the "Jessica Lunsford Act,"; and

WHEREAS, this act was named for Jessica Lunsford, the Florida child who was sexually assaulted and murdered by a sex offender; and

WHEREAS, this act imposes a mandatory term of imprisonment for certain sex offenses and for those persons who harbor or conceal sex offenders; and

WHEREAS, under this act if aggravated sexual assault is committed on a victim under the age of eighteen the actor would be punishable by a mandatory term of imprisonment of twenty-five years to life; and

WHEREAS, this act creates the new crime of first degree sexual assault where the victim is less than eighteen years of age and an offense is committed under specific circumstances the person convicted of said crime would be sentenced to a term between twenty-five years to life must serve a minimum of twenty-five years before being eligible for parole; and

WHEREAS, this act provides for mandatory term of imprisonment of three years without eligibility for parole if an actor harbored or concealed a person who is subject to the registration requirements of Megan's Law and who the actor has reason to believe is not complying or has not complied with the Megan's Law registration process;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Elizabeth hereby supports Senate Bill No. 2805 and Assembly Bill No. 960; and be it

FURTHER RESOVLED, the City Clerk is hereby directed to distribute copies of the resolution to Governor Chris Christie, State Legislators of the 20th District and the Municipalities in the County of Union.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, ~~Cucolo~~, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has received a request to grant permission to the **Colombianos Sin Fronteras, Inc., P. O. Box 2343, Elizabeth, New Jersey** a local non-profit organization, to place a wooden "Welcome to the Colombian District/Bienvenidos al Distrito Colombiano" sign in the Morris Avenue Business district, on the traffic island at the corner of Julian Place and Morris Avenue, with the unveiling to coincide with the 2012 Colombian Independence Day Parade on July 1, 2012; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth grants permission to the **Colombianos Sin Fronteras, Inc., P. O. Box 2343, Elizabeth, New Jersey** a local non-profit organization, to place a wooden "Welcome to the Colombian District/Bienvenidos al Distrito Colombiano" sign in the Morris Avenue Business district, on the traffic island at the corner of Julian Place and Morris Avenue, with the unveiling to coincide with the 2012 Colombian Independence Day Parade on July 1, 2012.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth desires to erect a vanity street sign to honor Yvonne "Squeaky" Washington-Orr; and

WHEREAS, the vanity street sign is to be placed at the corner of Third Street and Fulton Street; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the placement of a vanity street sign at Third Street and Fulton Street to honor Yvonne "Squeaky" Washington-Orr.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None

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

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

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

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

ALLIED OIL CO.	**2-01-31-447**	**$**	**7,872.78**
ELIZABETHTOWN GAS	**2-07-55-500-SEW-351**	**$**	**6,419.31**
FLEETCOR TECHNOLOGIES SERVICES	**2-01-31-460**	**$**	**113,255.53**
NATIONAL TERMINAL, INC.	**2-01-31-447**	**$**	**6,637.40**
PSE&G	**2-01-31-430**	**$**	**5,338.91**
RELIANT ENERGY	**2-01-31-430**	**$**	**1,150.22**
SPRINT	**2-01-31-440**	**$**	**157.20**
VERIZON	**2-01-31-440**	**$**	**32,577.34**
VERIZON WIRELESS	**2-01-31-440**	**$**	**672.14**

Which was adopted by the following vote:

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

NEGATIVE: None

~~June 26, 2012~~

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

*NO GAMES WERE FILED IN THE MONTH OF JUNE

Which was adopted by the following vote:

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

NEGATIVE: None

Councilman Gallman moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Gonzalez declared City Council adjourned at 8:05 p.m.

APPROVED

NELSON GONZALEZ
President of City Council

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