(PRO TEM)
PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
November 27, 2012
7:30 p.m.

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

President pro tem William Gallman, Jr., announced that this regular meeting is listed in the "Annual Notice", as defined by Chapter 231, P.L. 1975, and that copies of the "Annual Notice" have been mailed or delivered to the Star Ledger, Homes News & 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; Frank Cuesta; Edward Jackus;

Council Members: Manny Grova, 1st Ward; [redacted], 3rd Ward; [redacted], 4th Ward; William Gallman, Jr., 5th Ward; Frank O. Mazza, 6th Ward; and President: [redacted], 2nd Ward - 6

ABSENT: Council President Gonzalez, Keenan, Cedeno – 3

ALSO PRESENT: Rocco DiPaola, Second Assistant Attorney

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

PUBLIC SPEAKING

Mr. Robert Turner, an Elizabeth resident, stated that there is a politician who says we should get a dog. What kind of dog – pit bull, maybe a cat.

Mr. Sammy Muhammad, 32 Elmwood Place, spoke to why is the debris from 400 Irvington Avenue still there? He continued that the debris has black mold, rat and mice feces, asbestos, etc. He continued that you cannot put a "band aid" on cancer because CIS thinks "black people are fools."

Mr. Muhammad stated that there a six (6) buildings with sixty (60) apartments and most of the apartments go for $725.00 a month, so in three years, CIS has received approximately $9 million dollars. He continued that before the new maintenance crew, they did absolutely nothing. He stated further that they thought that they were suffering with Hurricane Sandy, "but these people have been suffering" and CIS needs to convert these vouchers so the people can leave.

Ms. Ajeena Hix, 200 Parker Road, announced that racial bias in Elizabeth needs to end because if the Jews were still living in the apartments, all of the necessary steps would have been taken to end the problem. She stated that the boilers were listed by the Environmental Protection Agency as having problems. She continued that the residents are being discriminated against and "we are human beings." She stated further that these toxic chemicals and she askedto not let them live in that mess.

Ms. Hix stated the CIS is not answering any questions and this is about the growth and development of people and something has to be done.

Ms. Lashonn Evans, 380 Irvington Avenue, Apt. 5K, spoke regarding mold and mildew in the bathroom ceiling in her apartment. She stated that no one cares how they are living and it is wrong. She continued that no one is concerned how they are living because all CIS wants is the rent. She stated further that you see CIS Management when it is time to collect the rent while the residents are breathing mold all of the time and the heat is on and off.

Ms. Margaret Richards, 230 Parker Road, Apt. 2J, stated that CIS Management receives $5 million dollars a month. She continued that she would be paying $1,700a month at market rate for her apartment and she would be looking at that pile of rubble, but fortunately, the apartments are subsidized. She stated further that nothing is being done about the dirt that needs to be removed because the children do not have a place to play in.

Ms. Adrienne Wallace, 200 Parker Road, stated that she is here again to speak on Oakwood Plaza. She continued that Councilman Mazza suggested that the tenants should hire an attorney. Councilman Cedeno sent a letter to Governor Christie on behalf of the tenants. She stated further that CIS was to attend a meeting, but was

informed that due to the weather, they could not be here. Ms. Wallace stated that she was not feeling well, but she walked here.

Ms. Wallace commented that some of the residents do not live there because of the conditions and she does not sleep, she walks and observes. She continued that a young woman moved into an apartment; she is employed and the City needs low and moderate income apartments to accommodate these young people.

Ms. Wallace reported a large hole that is not fenced in at 350 Irvington Avenue. She continued that children are going to play and this hole is not fenced. She stated further that she is looking to City Council to set up and help the residents.

Ms. Ruby Hicks, 200 Parker Road, stated that the buildings are old and she needs to know dates in order to prepare for moving.

Ms. Sabrina Hicks, 230 Parker Road, Apt. 4C, stated that she has three children; one is disabled and to climb the stairs is difficult. In closing, she stated that she wants her Section 8.

Councilman Gallman was recognized, stating that City Council hears the tenants cries and Council wishes they could turn this around and will not rest until this is resolved.

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

PUBLIC HEARINGS

Council President pro tem Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4344**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $300,000 FOR ACQUISITION OF VARIOUS VEHICLES AND EQUIPMENT FOR THE RECREATION DEPARTMENT IN AND FOR THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY

This ordinance was adopted on its first reading at the meeting of City Council held on **November 13, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **November 19, 2012**.

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

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

Council President pro tem Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4345**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR DANIEL C. KURINZI, 655 NORWOOD TERRACE, ELIZABETH, NEW JERSEY 07202.

This ordinance was adopted on its first reading at the meeting of City Council held on **November 13, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **November 19, 2012**.

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

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

Council President pro tem Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4346**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR GUISEPPIN MUSCARITOLO, 409 SOUTH SEVENTH STREET, ELIZABETH, NEW JERSEY 07202.

This ordinance was adopted on its first reading at the meeting of City Council held on **November 13, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **November 19, 2012**.

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

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

Council President pro tem Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4347**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JORGE MARTINEZ, 10 SOUTH FIFTH STREET, ELIZABETH, NEW JERSEY 07206.

This ordinance was adopted on its first reading at the meeting of City Council held on **November 13, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **November 19, 2012**.

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

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

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated November 15, 2012, from His Honor the Mayor advising The Elizabeth Avenue Partnership owns and operates six (6) banner poles along Elizabeth Avenue between Bridge Street and Fourth Street which can accommodate three (3) across-the-street banner plans to adopt, as a revenue raiser, the "Across-the-Street Banner Pole Lease Agreement at a fee of $250.00 per week or priced at the discretion of the Elizabeth Avenue Partnership.
Which was received.

By the Clerk:
Letter dated November 19, 2012, from the Business Administrator requesting authorization for the issuance of insurance with the Chubb Group of Insurance Companies, 12 Vreeland Road, Florham Park, NJ, through their agent-of-record Otterstedt Agency, covering City-owned properties for the period of October 1, 2012 to October 1, 2013 at an annual premium of $111,159.69.
Which was received.

By the Clerk:
Letter dated November 19, 2012, from the Business Administrator recommending the award of a contract to the "Star Ledger," One Star Ledger Plaza, Newark, NJ, for publishing legal notices for a period of two (2) years from the award of the contract in the amount of $160,000.00 .
Which was received.

By the Clerk:
Letter dated November 20, 2012, from the Business Administrator requesting to amend Ordinance No. 4010, specifically to reflect the salary adjustments and State Health Benefits Plan cost-sharing for City Council Members, the Mayor and Department Directors.
Which was received.

By the Clerk:
Letter dated November 20, 2012, from the Business Administrator requesting authorization for the proper City officials to enter into and execute a Lease Agreement between the City of Elizabeth and United States Representative Albio Sires to lease office space located at the Stephen Sampson Center, 800-828 Anna Street, for government constituent services in the 13th District; Congressman Sires' office will be responsible for the payment of utilities for the period of January 3, 2013 and ending January 2, 2015 with no monthly fee.
Which was received.

By the Clerk:
Letter dated November 20, 2012, from the Chief Financial Officer advising that additional grants may be appropriated in the 2013 SFY Budget by budget amendments.
Which was received.

By the Clerk:
Letter dated November 20, 2012, from the Chief Financial Officer recommending that City Council requests the Director of the Division of Local Finance to make the following estimated corrections in the 2013 Municipal Budget to account for the City's share (local share) of grants (Chapter 159) approved subsequent to the adopted budget: Matching funds-City's share from $1,000,000.00 to $850,000.00; Local share: Kids Recreation Trust Fund 2012 from -0- to $150,000.00.
Which was received.

By the Clerk:

Letter dated November 20, 2012, from the Chief Financial Officer requesting to pre-qualify those eligible Flexible Spending Account Providers who submitted a Request for Qualifications (RFQ); are as follows: ADP, 2 Huntington Quadrangle, Melville, NY; Flexible Benefit, 509 Viking Drive, Suite F, P.O. 8188, Virginia Beach, VA; Eflexgroup, 2740 Ski Lane, Madison, WI; Sterling, 475 14th Street, Suite 650, Oakland, CA; Benefit Strategies, 967 Elm Street, Manchester, NJ; InfiniSource, 15 E. Washington Street, Coldwater, MI; Ameri Health, 720 Blair Mill Road, Horsham, PA.
Which was received.

By the Clerk:

Letter dated November 8, 2012, from the Director of Planning and Community Development requesting an amendment to a resolution dated October 23, 2012, authorizing a Rental Housing Program postponement of two mortgages for a total amount of $440,706.00 held by the City of Elizabeth, specifically to correct the amount of the loan from Sovereign Bank from $1,400,000.00 to $1,475,000.00.
Which was received.

By the Clerk:

Letter dated November 9, 2012, from the Director of Planning and Community Development requesting an amendment to a resolution adopted November 10, 2009 and the agreement dated July 7, 2010, between the City of Elizabeth and Josephine's Place to provide life skills training for low to moderate income women, specifically to reflect an extension of time to June 30, 2013.
Which was received.

By the Clerk:

Letter dated November 9, 2012, from the Director of Planning and Community Development requesting an amendment to a resolution adopted June 28, 2011 and the agreement dated December 28, 2011 between the City of Elizabeth and Josephine's Place, specifically to reflect an extension of time to June 30, 2013.
Which was received.

By the Clerk:

Letter dated November 16, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Deferred Payment Loan, Owner Occupied Basic Program, on the property located at 461-475 Catherine Street, Unit 106B, in an amount not to exceed $10,587.00.
Which was received.

By the Clerk:

Letter dated November 20, 2012, from the Director of Planning and Community Development requesting that your Honorable Body introduce and approve the amended version of the Durant Street Redevelopment Plan, which will replace the previous version of said plan in its entirety.
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated November 19, 2012, from the Director of Public Works recommending the award of a contract to Envar Services, Inc., 505 Milltown Road, North Brunswick, New Jersey, to provide civil engineering services in connection with the Hurricane Sandy Damage Assessment along the Waterfront.
Which was received.

By the Clerk:

Letter dated October 24, 2012, from Ms. Natalie Ahern, Sovereign Consulting, Inc., 111-A N. Gold Drive, Robbinsville, NJ, requesting an encroachment permit to install two (2) groundwater monitoring wells along the City's right-of-way on Elizabeth Avenue, within the sidewalk adjacent to 1089-1099 Elizabeth Avenue.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter dated November 27, 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, November 23, 2012.
Which was received.

By the Clerk:
Letter dated November 8, 2012, from the Chief Financial Officer submitting the City Treasurer's Report of Receipts and disbursements for the month of September, 2012, and Statement of Bank Balances and Investments as of September 30, 2012.
Which was received.

ORDINANCE ON FIRST READING

Council President pro tem Gallman announced that the next business in order would be the introduction of Ordinance No. **4348** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 4010 TO ESTABLISH THE SALARY, AND COST SHARING PLAN FOR PREMIUM PAYMENTS FOR THE STATE HEALTH BENEFITS PLAN (SHBP) COSTS FOR THE MAYOR, MEMBERS OF CITY COUNCIL AND DEPARTMENT DIRECTORS FOR THE PERIOD JANUARY 1, 2013 TO DECEMBER 31, 2016.

The Clerk read the foregoing ordinance.

Councilman Mazza stated that he does not feel comfortable with this ordinance and will not vote in support of it.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, [redacted], President pro tem Gallman, - [redacted] 5

NEGATIVE: [redacted] MAZZA — 1

Council President pro tem Gallman announced that the next business in order would be the introduction of Ordinance No. **4349** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE A LEASE AGREEMENT FOR THE RENTAL AT THE STEVEN SAMPSON CENTER, 800-828 ANNA STREET, ELIZABETH, NEW JERSEY 07201, FOR GOVERNMENT CONSTITUENT SERVICES IN THE 13TH DISTRICT.

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, Mazza, President pro tem Gallman, - 6

NEGATIVE: None

Council President pro tem Gallman announced that the next business in order would be the introduction of Ordinance No. **4350** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO SOVEREIGN CONSULTING, INC., 111-A N. GOLD DRIVE, ROBBINSVILLE, NEW JERSEY TO INSTALL TWO (2) GROUNDWATER MONITORING WELLS, ALONG THE PUBLIC RIGHT-OF-WAY WITHIN THE SIDEWALL ADJACENT TO THE 1089-1099 ELIZABETH AVENUE, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

Council President pro tem Gallman announced that public notice will be published fixing Tuesday evening, December 11, 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. 4348, 4349 and 4350, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President pro tem Gallman announced that the next business in order would be the adoption of **Ordinance No. 4344**, which was seconded by Councilman Cuesta:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $300,000 FOR ACQUISITION OF VARIOUS VEHICLES AND EQUIPMENT FOR THE RECREATION DEPARTMENT IN AND FOR THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY (not less than a majority of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. $300,000 is hereby appropriated from the Capital Surplus Fund for the acquisition of various vehicles (excluding passenger cars and station wagons) and equipment for the Recreation Department, including, but not limited to, sport utility vehicles, pick-up and crew cab chassis trucks, salt spreaders, synthetic turf groomer and a commercial groundsmaster, and including all work and materials necessary therefor and incidental thereto.

Section 2. The capital budget or temporary capital budget, as applicable, of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the City Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect in accordance with law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **November 13, 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 **November 19, 2012.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

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Council President pro tem Gallman announced that the next business in order would be the adoption of **Ordinance No. 4345**, which was seconded by Councilman Cuesta:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR DANIEL C. KURINZI, 655 NORWOOD TERRACE, ELIZABETH, NEW JERSEY 07202.

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

SECTION 1. - A personalized handicapped parking space for **Daniel C. Kurinzi** established in front of **655 Norwood Terrace, Elizabeth, New Jersey 07202,** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the North curb line of Norwood Terrace beginning at a point 288' East of Williamson Street 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.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **November 13, 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 **November 19, 2012.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - ~~8~~ 6

NEGATIVE: None

Council President pro tem Gallman announced that the next business in order would be the adoption of **Ordinance No. 4346**, which was seconded by Councilman Cuesta:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR GUISEPPIN MUSCARITOLO, 409 SOUTH SEVENTH 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 **Guiseppin Muscaritolo** established in front of **409 South Seventh Street, Elizabeth, New Jersey 07202,** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the West curb line of South Seventh Street beginning at a point 114' North of Fourth Avenue continuing 22' North 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 . **November 13, 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 **November 19, 2012.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

Council President pro tem Gallman announced that the next business in order would be the adoption of **Ordinance No. 4347**, which was seconded by Councilman Cuesta:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JORGE MARTINEZ, 10 SOUTH FIFTH STREET, ELIZABETH, NEW JERSEY 07206.

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

SECTION 1. - A personalized handicapped parking space for Jorge Martinez established in front of **10 South Fifth Street, Elizabeth, New Jersey 07206,** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the East curb line of South Fifth Street beginning at a point 101' South of First Avenue 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 . **November 13, 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 **November 19, 2012.**

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

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

NEW BUSINESS

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $297,000 for the Foam Concentrate Grant awarded by the Port Authority of NY/NJ on behalf of the Department of Homeland Security and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $297,000 which is now available as a revenue from:

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

Port Authority of NY/NJ on behalf of the Department of Homeland Security	
Foam Concentrate Grant	$297,000

BE IT FURTHER RESOLVED, that a like sum of $297,000 be and the same is hereby appropriated under the caption of :

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

Port Authority of NY/NJ on behalf of the Department of Homeland Security	
Foam Concentrate Grant	
Other Expenses	$297,000

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $1,725,000 for the Foam Delivery Unit Grant awarded by the Port Authority of NY/NJ on behalf of the Department of Homeland Security and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $1,725,000 which is now available as a revenue from:

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

Port Authority of NY/NJ on behalf of the Department of Homeland Security
Foam Delivery Unit Grant $1,725,000

BE IT FURTHER RESOLVED, that a like sum of $1,725,000 be and the same is hereby appropriated under the caption of :

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

Port Authority of NY/NJ on behalf of the Department of Homeland Security
Foam Delivery Unit Grant
Other Expenses $1,725,000

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $179,000 for the Foam Response Unit Grant awarded by the Port Authority of NY/NJ on behalf of the Department of Homeland Security and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $179,000 which is now available as a revenue from:

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

Port Authority of NY/NJ on behalf of the Department of Homeland Security	
Foam Response Unit Grant	$179,000

BE IT FURTHER RESOLVED, that a like sum of $179,000 be and the same is hereby appropriated under the caption of :

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

Port Authority of NY/NJ on behalf of the Department of Homeland Security	
Foam Response Unit Grant	
Other Expenses	$179,000

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $241,228 for the Responder Accountability Grant awarded by the Port Authority of NY/NJ on behalf of the Department of Homeland Security and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $241,228 which is now available as a revenue from:

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

Port Authority of NY/NJ on behalf of the Department of Homeland Security Responder Accountability Grant	$241,228

BE IT FURTHER RESOLVED, that a like sum of $241,228 be and the same is hereby appropriated under the caption of :

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

Port Authority of NY/NJ on behalf of the Department of Homeland Security Responder Accountability Grant Other Expenses	$241,228

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $150,000 for the Kids Recreation Trust Fund 2012 awarded by the County of Union and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $150,000 which is now available as a revenue from:

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

County of Union	
Kids Recreation Trust Fund 2012	$150,000

BE IT FURTHER RESOLVED, that a like sum of $150,000 be and the same is hereby appropriated under the caption of :

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

County of Union	
Kids Recreation Trust 2012	
Other Expenses	$150,000
Local Share	$150,000

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $72,787.79 for the Recycling Tonnage Grant 2010 awarded by the New Jersey Department of Environmental Protection and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $72,787.79 which is now available as a revenue from:

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

New Jersey Department of Environmental Protection Recycling Tonnage Grant 2010	$72,787.79

BE IT FURTHER RESOLVED, that a like sum of $72,787.79 be and the same is hereby appropriated under the caption of :

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

New Jersey Department of Environmental Protection Recycling Tonnage Grant 2010 Other Expenses	$72,787.79

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $27,645.38 for the Body Armor 2012 Grant awarded by the New Jersey Division of Criminal Justice and wishes to amend its FY2013 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2013 in the total sum of $27,645.38 which is now available as a revenue from:

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

New Jersey Division of Criminal Justice	
Body Armor 2012	$27,645.38

BE IT FURTHER RESOLVED, that a like sum of $27,645.38 be and the same is hereby appropriated under the caption of :

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

New Jersey Division of Criminal Justice	
Body Armor 2012	
Other Expenses	$27,645.38

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

By City Council as a Whole:

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

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

Name of Appropriation	From	To
Matching Funds-City's Share	$1,000,000	$850,000
Kids Recreation Trust Fund 2012 -Local Share	-0-	$150,000

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

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

BY CITY COUNCIL AS WHOLE:

WHEREAS, the Chief Financial Officer has requested authorization to pre-qualify those eligible Flexible Spending Account Providers (FSA Providers) who submitted a Request for Qualifications (RFQ) to the City that was solicited through a fair and open process; and

WHEREAS, the RFQ does not constitute a bid and is intended solely to obtain qualifications from which the City may choose a FSA Provider that best meets the City's needs. The RFQ is for the sole purpose of pre-qualifying prospective FSA Providers based on their qualification statements and experience achieved in the area of FSA Services. One or more individuals/firms may be selected to provide FSA Provider services in the future; and

WHEREAS, this RFQ was solicited through a fair and open process in accordance with **N.J.S.A.** 19:44A-20.5 et seq; and

WHEREAS, the entities that should be pre-qualified are as follows:

ADP, 2 Huntington Quadrangle, Melville, New York 11747
Flexible Benefit, 509 Viking Drive, Suite F, PO, 8188, Virginia Beach, Virginia 23450
Eflexgroup, 2740 Ski Lane, Madison, WI 53713
Sterling, 475 14th Street, Suite 650, Oakland, CA 94612
Benefit Stategies, 967 Elm Street, Manchester, NJ 03101
InfiniSource, 15 E. Washington Street, Coldwater, MI 49036
Ameri Health, 720 Blair Mill Road, Horsham, PA 19044

; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth authorizes the Chief Financial Officer to pre-qualify the following who submitted a proposal in response to the Request for Qualifications (RFQ) to the City of Elizabeth to provide FSA Services Services.

ADP, 2 Huntington Quadrangle, Melville, New York 11747
Flexible Benefit, 509 Viking Drive, Suite F, PO, 8188, Virginia Beach, Virginia 23450
Eflexgroup, 2740 Ski Lane, Madison, WI 53713
Sterling, 475 14th Street, Suite 650, Oakland, CA 94612
Benefit Stategies, 967 Elm Street, Manchester, NJ 03101
InfiniSource, 15 E. Washington Street, Coldwater, MI 49036
Ameri Health, 720 Blair Mill Road, Horsham, PA 19044

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

Councilman Grova **MOVED TO TABLE** the resolution regarding Across-the-Street lease agreement between the Elizabeth Avenue Partnership and the City, which was seconded by Councilwoman Perkins-Auguste, and

Which was carried unanimously.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended an award of contract be made to **The Chubb Group of Companies, 12 Vreeland Road, Florham Park, New Jersey 07932 through their agent-of-record Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, New Jersey 07632** for insurance covering City-owned properties for the annual premium of $111,159.69. The term of the policy is October 1, 2012 to October 1, 2013; and

WHEREAS, the annual premium is $111,159.69, will be made in quarterly payments will be made as per the following schedule $29,930.94, $27,076.25, $27,076.25 and $27,076.25; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-03694 charging the amount of $111,159.69 to Account Number 3-01-23-210-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, this recommendation is made with the full concurrence of members of the Insurance Fund Commission; 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:

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator per the request of the Purchasing Agent has requested the award of a contract to **The Star Ledger, One Star Ledger Plaza, Newark, New Jersey 07102,** for Publishing of Legal Notices in the amount of $160,000.00 for a period of two (2) years from the award of the contract; and

WHEREAS, the Chief Financial Officer will issue a Certificate of Availability of Funds for the second year of the contract prior to commencement thereof and the second year of the contract is explicity conditioned upon the issuance of same by the Chief Financial Officer; 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 **The Star Ledger;** and

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

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

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to **The Star Ledger, One Star Ledger Plaza, Newark, New Jersey 07102,** for Publishing of Legal Notices in the amount of $160,000.00 for a period of two (2) years from the award of the contract.

1. The Mayor and the Municipal Clerk are hereby authorized to execute a contract with **The Chubb Group of Companies, 12 Vreeland Road, Florham Park, New Jersey 07932 through their agent-of-record Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, New Jersey 07632,** for insurance covering City-owned properties for the annual premium is $111,159.69. The term of the policy is October 1, 2012 to October 1, 2013.

2. The Chubb group of Companies' premium was the most competitive and current proposal offers a continuation of the present property Insurance coverage.

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

4. This cannot be described by written specifications because of the special nature of the services described in Paragraph 3

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested an amendment to the resolution adopted on October 23, 2012, which authorized a postponement of two mortgages for Associates Sixty-Four for a total amount of $440,706.00 (mortgage dated June 6, 2005 in the amount of $330,000.00 and another in the amount of $110,706.00 dated October 13, 2006) held by the City of Elizabeth to correct the amount of the new loan from Sovereign Bank from $1,400,000.00 to $1,475,000.00; and

WHEREAS, the mortgagors are refinancing the first mortgage to lower the interest rate and to reduce the term. The increased loan amount will cover the closing costs; now therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an amendment to the resolution adopted October 23, 2012 which authorized a postponement of Mortgages for Associates Sixty-Four to correct the amount of the loan from Sovereign Bank from $1,400,000.00 to $1,475,000.00. The mortgagors are refinancing the first mortgage to lower the interest rate and to reduce the term. The increased loan amount will cover the closing costs; and be it

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 mortgages.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

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 on November 10, 2009, that authorized the execution of an agreement between the City of Elizabeth and **Josephine's Place, 622 Elizabeth Avenue, Elizabeth, New Jersey 07206,** to provide life skills training for low to moderate income woman; and

WHEREAS, an agreement was executed on July 7, 2010, that reflected the respective allocation of 2009-2010 Community Development Block Grant funds for CD35, as authorized by the by the November 10, 2009 adopted resolution; and

WHEREAS, an extension of time is requested for the period of July 1, 2012 to June 30, 2013. This amendment will provide Josephine's Place with the necessary time to voucher for the respective balance of $5,000.00 from CD35; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-03910, charging the amount of $5,000.00 to Account No. T-22-56-010-PS-114, 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 amendment to the resolution adopted November 10, 2009 an agreement executed on July 7, 2010 between the City of Elizabeth and **Josephine's Place, 622 Elizabeth Avenue, Elizabeth, New Jersey 07206,** to provide life skills training for low to moderate income woman to extend the time period of the agreement from July 1, 2012 to June 30, 2013. The extended time period will provide Josephine's place with the necessary time to include the respective balance from CD 35.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

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 on June 28, 2011, that authorized the execution of an agreement between the City of Elizabeth and **Josephine's Place, 622 Elizabeth Avenue, Elizabeth, New Jersey 07206,** to provide life skills training for low to moderate income woman; and

WHEREAS, an agreement was executed on December 28, 2011 that reflected the respective allocation of 2010- 2911 Community Development Block Grant funds for CD36, as authorized by the by the June 28, 2011 adopted resolution; and

WHEREAS, an extension of time is requested for the period of July 1, 2012 to June 30, 2013. This amendment will provide Josephine's Place with the necessary time to voucher for a balance of $3,500.00 from CD36; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-03911, charging the amount of $3,500.00 to Account No. T-22-56-011-PBS-200, 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 amendment to the resolution adopted June 28, 2011 and executed on December 28, 2011 between the City of Elizabeth and **Josephine's Place, 622 Elizabeth Avenue, Elizabeth, New Jersey 07206,** to provide life skills training for low to moderate income woman to extend the time period of the agreement from July 1, 2012 to June 30, 2013. The extended time period will provide Josephine's place with the necessary time to include the respective balance from CD 36.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning & Community Development has advised that **Maria Luisa Millan Garcia & Giovanni Mancipe Millan, 461-475 Catherine Street, Unit 106B, Elizabeth, New Jersey**, has applied for financial assistance under the City of Elizabeth's Owner Occupied Basic Program to rehabilitation of a an Owner –Occupied one (1) unit house to include: roof, window, floors, plumbing and paint; and

WHEREAS, the maximum assistance to be provided is not to exceed $10,587.00; and

WHEREAS, the total estimated project cost is $11,115.00; and

WHEREAS, the loan will be forgiven after five years of compliance; and

WHEREAS, in return for the loan, the applicant has agreed to abide by the requirements of the City's Owner-Occupied Basic Program; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification 13-03494, charging the amount of $10,587.00 to Account No. 3-21-56-300-003, 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 authorizes an Owner - Occupied Basic Program loan to **Maria Luisa Millan Garcia & Giovanni Mancipe Millan** at an a zero percent interest loan in an amount not to exceed $10,587.00 provided the property is maintained as affordable housing unit according to applicable Federal regulations and the terms of the City's Owner-Occupied Basic Program for a period of five years. The loan will be forgiven after five years of compliance; and be it

FURTHER RESOLVED the funds shall not be released until after execution of the necessary and appropriate documents including Mortgage Note, Mortgage and any other documents required by the City's Program for the purpose of securing the loan made herein.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

WHEREAS, the Department of Pubic Works reviewed the qualifications of all respondents, and found the firm of **ENVAR SERVICES, INC., 505 Milltown Road, North Brunswick, New Jersey 08902,** to be qualified to provide the City of Elizabeth with professional engineering services in connection with the Hurricane Sandy Damage Assessment at Veterans Memorial Waterfront Park, Marina, Recreation Pier and Hike, Bike & Roll Throughway; and

WHEREAS, the Director of the Department of Public Works has requested an award of a contract be made to **ENVAR SERVICES, INC., 505 Milltown Road, North Brunswick, New Jersey 08902,** to provide the city of Elizabeth with civil engineering services in connection with the Hurricane Sandy Damage Assessment along the Waterfront as per their proposal dated November 14, 2012 in an amount not to exceed $120,000.00 as per their proposal of March 9, 2012. Hurricane Sandy inflicted considerable damage to Veterans Memorial Waterfront Park, the Marina, the Recreation Pier and the Hike, Bike & Roll Throughway. **Envar Services** will perform an inspection of the waterfront, take photographs of the damage, document the structural damages and prepare sketches to describe the losses that have occurred add the structures that remain. A preliminary damage assessment report will be prepared describing structures that require repair or replacement. **Envar Services** will then prepare a revised preliminary damage assessment report illustrating the established scope of work. The report will include photographs, estimates and drawings. The report will be suitable for subsequent submission to the New Jersey OEM and FEMA; and

WHEREAS, the request for qualifications was solicited through a fair and open process in accordance with **N.J.S.A**. 19:44A-20.5, et. Seq., and **N.J.S.A**. 40A:11-5 (a) (i); and

WHEREAS, 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 has certified that sufficient funds are available an appropriated for this purpose and Certification No. 13-03931 charging the amount of $120,000.00 to Account No X-04-55-999-X26-001 of the Municipal Budget, is on file in the Office in 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 **ENVAR SERVICES, INC., 505 Milltown Road, North Brunswick, New Jersey 08902,** to provide the City of Elizabeth with civil engineering services in connection with the as per their proposal of March 9, 2012 for an amount not to exceed $120,000.00 plus reimbursables. **Envar Services** will perform an inspection of the waterfront, take photographs of the damage, document the structural damages and prepare sketches to describe the losses that have occurred add the structures that remain. A preliminary damage assessment report will be prepared describing structures that require repair or replacement. **Envar Services** will then prepare a revised preliminary damage assessment report illustrating the established scope of work. The report will include photographs, estimates and drawings. The report will be suitable for subsequent submission to the New Jersey OEM and FEMA .

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, Jackus, Grova, Mazza, President pro tem Gallman - 6

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 **454 Fulton Street, Elizabeth, New Jersey 07206**, as follows, pursuant to the recommendation of the Elizabeth Police Department:

along the South curb line of Fulton Street
beginning at a point 117' East of Fifth Street
and continuing 22' East thereof;

and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

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 **436 Niles Street, Elizabeth, New Jersey 07202**, as follows, pursuant to the recommendation of the Elizabeth Police Department:

along the East curb line of Niles Street
beginning at a point 41' North of Fifth Avenue
and continuing 22' North thereof;

and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

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 **313 High Street, Apt. 2-F, Elizabeth, New Jersey 07202**, as follows, pursuant to the recommendation of the Elizabeth Police Department:

along the West curb line of High Street
beginning at a point 178' South of Third Avenue
and continuing 18' South thereof;

and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

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:

ELIZABETHTOWN GAS	**3-01-31-446**	**$**	**6,605.30**
FLEETCOR TECHNOLOGIES SERVICE	**3-01-31-460**	**$**	**118,403.95**
HESS CORP – ELECTRIC	**3-02-31-430**	**$**	**10,063.66**
NRG BUSINESS SOLUTIONS	**3-01-31-430**	**$**	**4,690.93**
PSE&G	**3-01-31-430**	**$**	**16,791.90**
USA MOBILITY	**3-01-31-440**	**$**	**297.37**
VERIZON	**3-01-31-440**	**$**	**165.26**
VERIZON COMMUNICATIONS, INC.	**3-01-31-440**	**$**	**55.95**

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

[redacted]

BY COUNCIL AS A WHOLE:

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

ORGANIZATION	AG	B.L.	R.L.	DATE

No activity for this month

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the Elizabeth High School's (EHS) Marching Band brilliantly capped off another undefeated season by winning the US Bands Group 5A National Championship, as well as the US Bands Group 5A State Championship in the 2012 National Championship in Annapolis, Maryland; and

WHEREAS, on November 11, 2012 in Edison, N.J., the Elizabeth High School Marching Band again took first place in the US Bands Group 5A State Championship defeating bands from Philipsburg, Jackson, West Milford, Somerville, Verona, and Marlton with a score of 95.4. They also won caption awards for Best Music and Best Overall Effect; and

WHEREAS, in Annapolis, Maryland on the same weekend, earning a score of 97.1, the Elizabeth High School Marching Band for the second year in a row won the U.S. Bands Group A, National Championship. EHS Marching Band defeated bands from New Jersey, New York Maryland and Virginia with a decisive win over the nearest competition, by over two points. The highly successful marching band a 140 member ensemble, amazed the crowd and swept all the Caption Awards for Best Music, Best Overall Effect, Best Visual, Best Percussion and Best Color Guard!; and

WHEREAS, winning both the state and national titles for the second year in a row reaffirms that the EHS Marching Band ranks as one of the best in New Jersey, and one of the best in America!; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its congratulations to Elizabeth High School's Marching Band for brilliantly accomplishing another undefeated season by winning the US Bands Group 5A National Championship, as well as the US Bands Group 5A State Championship in Annapolis, Maryland ranking Elizabeth High School as one of the best in New Jersey, and one of the best bands in America!; and be it

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of City Council and a certified copy be sent to the Elizabeth High School's Marching Band.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, Grova, Mazza, President pro tem Gallman - 6

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Catherine Rousseau Saintilien; and

WHEREAS, she immigrated to the United Sates in 1984 from Haiti. In 1992, she focused on serving others for the Haitian community in Union County, New Jersey; and

WHEREAS, she married Guy Saintilien, and together raised three beautiful children, Kathlynn, Guy, Jr., and Tabitha; and

WHEREAS, Mrs. Saintilien has over twenty-two years of professional management experience in the not-for-profit arena. She was involved in countless organizations with the objective of promoting community awareness, which included Chairwoman/Founder of the NJ for Haiti, Consultant/Co-Founder of the Eben Ezer Adventist Community Services, former Chairwoman of Haitian Flag Day Planning Committee of NJ Inc and Executive Director/Founder of Jefferson Park Ministries Inc. (JPM); and

WHEREAS, as Executive Director of JPM, Mrs. Saintilien mission was to serve immigrant families and youth by providing services that enhances their quality of life and promotes empowerment to manage their day to day activities. Jefferson Park Ministries is a bilingual and bicultural community-based nonprofit organization with a ten year record of providing quality and needed social service programs to Union and Essex counties residents. She worked with diverse populations and created collaborative partnerships with foundations Private Corporation and government agencies; and

WHEREAS, she was a Master Trainer in Chronic Disease Self-Management Program, a certified Christian Counselor and a certified Medical Missionary Worker at the Atlantic Union, NY13, Northeaster and Greater New York Conference of the Seventh-Day Adventists. She maintained a strong leadership, interpersonal, and organizational skills. She was well respected and renowned in her community; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Catherine Rousseau Saintilien and wishes to express sympathy to her family and friends at this time, during their loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and a certified copy be sent to Catherine Rousseau

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 Ruth Mae Hunter; and

WHEREAS, Ruth was called to serve God at the age of 24. She spent her life serving God by spreading the gospel, encouraging and uplifting all those she encountered. When she moved to New Jersey she became a member of Unity Temple House of God Saints in Christ Church. Along with Bishop Daniel E. Hicklin, Sr., she set up Mount Sinai Alpha and Omega Church of Christ in Newark, NJ, later moving to Scotch Plains. There she served on several boards and auxiliaries for many years. Evangelist Ruth Hunter also became a member of New Born Holiness Church in Montclair, NJ; and

WHEREAS, she was an Eastern Star Coretta Chapter #133 of the International Masons where she held the office of Worthy Matron and served on several positions; and

WHEREAS, Ruth was employed at Woodbridge State School for many years. She had several jobs throughout her lifetime providing for her four daughters as single mother. She worked at Elizabeth General Hospital for over twenty-five years as a Dark Room Technician, where she instructed many X-ray technicians. She retired in1992; and

WHEREAS, Ruth had many loves, one being working with and encouraging all young people she encountered. She had a special spot for the children of the United Youth of New Jersey; and

WHEREAS, she is preceded in death by her daughters Ruth Lynette Curtis, Charlene Gray, and Darlene Curtis; and two brothers, Floyd Knight and Thomas James Knight, Jr. Ruth is survived by her cherished daughters, Charlotte V. Brown, Co-Pastor Antoinette Omizegba of Elizabeth, NJ, grandchildren, and a host of nieces, nephews and friends; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Ruth Mae Hunter and wishes to express sympathy to her family and friends at this time, during their loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and a certified copy be sent to Ruth Mae Hunter's family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Joseph Roszkowski, 55; and

WHEREAS, Joseph Roszkowski was born in Newark, NJ and resided in Clark, NJ for the past fifty-five years; and

WHEREAS, he worked as a carpenter for the Abalone Glass Company of Neptune, NJ for several years; and

WHEREAS, he was the beloved son of Joan of Clark and the late John Roszckowski; loving father of Justin J. Roszkowski; caring brother of Joan Zawacki, John P., Jane MacDermanet, James, Joanne Fiore, Jeffery, Stephen, Gregory, and the late Thomas and devoted uncle of twenty-one nieces and nephews; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its heartfelt condolences at the passing of Joseph Roszkowski and wishes to express sympathy to his family and friends at this time, during their loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and a certified copy be sent to the Joseph Roszkowski's family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the city of Elizabeth has learned of recent death of Marie Lugara, 90; and

WHEREAS, born in Vallata, Italy, Mrs. Lugara came to the Untied States in 1931 to Elizabeth and lived in Roselle Park and Sarasota, Florida for thirty years before settling in Cranford five years ago; and

WHEREAS, she was predeceased by her husbands, Lionel Schusterman and Paul J. Lugara; and

WHEREAS, she is survived by a son David L. Schusterman and his wife Felicia; three grandchildren, David, Lauren and Leon; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Marie Lugara and wishes to express sympathy to her family and friends at this time, during their loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and a certified copy be sent to Marie Lugara's family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of recent death of Gina Rossi; and

WHEREAS, she was born in Risaccia Avellino, Italy, and came to the United States in 1951, residing in Linden and Livingston, NJ; and

WHEREAS, she was an assembler for QEI, Springfield, NJ for many years; and

WHEREAS, she was the wife of the late Raffaele Rossi. Gina is survived by her son, Frak A. Rossi, Sr., and Elizabeth Trezza, and her daughter Filomena "Phyllis" Moriello, and grandchildren; and

WHEREAS, she was the sister of Antoinette Magliano and Sofia Annello, and the late Giacomo Carpinelli and Carmelina Castelluccio, and is also survived by many nieces and nephews; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Gina Rossi and wishes to express sympathy to her family and friends at this time, during their loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and a certified copy be sent to Gina Rossi's family.

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

Councilman Cuesta moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President pro tem Gallman declared City Council adjourned

at 8:20 p.m.

APPROVED

WILLIAM GALLMAN
President pro tem of City Council

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