PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
October 23, 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;
Frank J. Cuesta; 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; - 9

ABSENT:

ALSO PRESENT: Jorge Estrada, Special Counsel

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

PUBLIC SPEAKING

Mr. Jim Levine, 808 Newark Avenue, spoke regarding the Durant Street Redevelopment project, stating that he was once a partner in that complex and worked tirelessly for responsible development and something great for this City. He continued that he came up with a plan for the Stop & Shop property and his main concern is that this is not a "watered down development." He stated further that he spoke with Councilman Cedeno regarding a mixed-use because he thinks that the City needs to make sure that "you make a difference in your City" with residential, large retail, small retail because the market is there for mixed use.

In closing, Mr. Levine asked City Council to give serious consideration on this development because Councilman Cedeno has done a lot for that ward and he was looking to have a recreation center.

Mr. Jose Rodriguez, 618 Jackson Avenue, stated that this is a very important election on November 6, 2012, as well as an important school board election. He continued that there must be an end to corruption in the school board because he truly believes that more can be done. Mr. Rodriguez reminded voters to vote for school board members.

Ms. Maria Echaverria, 321 Westfield Avenue, announced that there was a walk for Autism this weekend. She read a statement regarding Autism and spoke to needing more programs for children with Autism.

Council President Gonzalez stated that there is an exorbitant number of people with Autism who need recreational programs.

Mr. Sammy Muhammad, 32 Elmwood Place, spoke regarding the Board of Education Election and his surprise of not hearing from City Council or the Mayor regarding the corruption.

Mr. Muhammad thanked City Council members Grova, Perkins-Auguste and Cedeno with helping the tenants at Oakwood Plaza; however, the tenants need more, such as giving each of them vouchers so they can move out – let the people go. He continued that the tenants should be given permanent Section 8. He stated further that

the police are terrible. He stated further that he met with the Director of Police because the police officers "do not like black people."

Mr. Muhammad stated that this does not make any sense because these residents are being treated like a "Tuskegee experiment." He continued that for the Council members who are trying to help – thank you. Councilmen Mazza and Gallman "if you think this is a joke, maybe your time has passed and you need to resign."

Ms. Ajeena Hix, 220 Parker Road, formerly of 400 Irvington Avenue, queried to how can families succeed with conversion vouchers. She continued that she understands a letter was sent to the Governor, but would like for City Council to contact CIS Management. She stated further that she would like to know if the owner could get conversion vouchers. Ms. Hix stated that it is not fair because people are suffering and no one has answers. She continued that she is dealing with a lot because she was supposed to move to the back, but now she does not know what is going on.

Mr. Edward Morris, Roselle, stated that this is a "redundant Conversation." He continued that the police presence is not warranted. He stated further that the people deserve better housing and will they see any type of change.

Mr. Morris stated that as long as the conditions remain the same, "you are going to see me." He continued that there is a lot of talking going on but do you expect people to live in filth. He questioned when are the residents going to see some relief.

Council President Gonzalez stated that if City Council could answer that question, they would have. He stated further that City Council is trying the best as they can.

Mr. Morris stated that he believes that all of this is falling on deaf ears and if he is going to get a stare because it is obvious that Council does not have anything else.

Ms. Madge Cook, 230 Parker Road, questioned when are the owners going to move all of the dirt and asbestos off of that lot next to her building. She continued that it is horrible when a senior is told that they will be relocated to Trenton or Perth Amboy, N.J. She stated further that she was to be moved to the fourth floor, but she is not going on the fourth floor.

Ms. Margaret Barns, 230 Parker Road, Apt. 2J, stated that she has lived here for twenty-nine (29) years and when she first moved there the place was beautiful. She continued that the elevator is broken and management wanted to move her to the fourth floor. She stated further that she does not have any shades on her windows. She explained that "you just go to the store, get the shades and leave."

Ms. Brennan stated that her ceiling was fixed. She stated that the Councilwoman will do whatever she can, call her and she will do it. She stated further that Councilman Cedeno when you call him, he will do it.

END OF PUBLIC SPEAKING

Council President Gonzalez announced that he has asked for some of the Directors to come and provide information.

Mr. William Jones, Executive Director, Elizabeth Housing Authority, and Ms. Kathy Hart, Deputy Clerk, Elizabeth Housing Authority, are aware of the situation. Mr. Jones stated that the Housing Authority is not the owner of Oakwood Plaza and does not know about any vouchers. He continued that an attempt was made to receive a grant, but it was not successful. He stated further that an application may have been hurt by the relationship with the Board of Education.

Mr. Jones stated that there are no readily available vouchers for the tenants at Oakwood Plaza. He continued that 2013 is the opt-out year for the residents at Oakwood Plaza. He explained that "opt out" is when the owner of the building can "opt out" of the Section 8 vouchers and use Project Base vouchers to a Tenant Base voucher.

Ms. Kathy Hart stated that there is no new funding, but some of the tenants from Oakwood Plaza are on the waiting list. She continued that there are approximately 3,000 people on the waiting list. She stated further that she cannot put them ahead of the people who have been waiting.

Mr. Jones stated that someone has to have a meeting with the tenants because some of the tenants have come over to the Housing Authority, so this will take sitting down and having a discussion , at least to give a better understanding of the process.

He continued that he did this at the Pioneer Homes and Migliore Manor redevelopment. He stated further that he does not have any authority to give vouchers. Mr. Jones stated that the Federal Housing Authority will have to approve the vouchers and the opt out process is controlled in another office. He continued that he cannot go to HUD and ask to take all of those people out because the Section 8 voucher is attached to the apartment not the person.

Councilman Mazza spoke to a comment that was made and commended the Council President, stating that he did his best as President and the same people keep coming back. He continued that it was explained to them that this is privately owned and it is not a part of the Housing Authority. He stated further that the tenants have no right to come to Council Chambers and insult him.

Councilman Mazza stated that he did not call anyone any names or "you are a racist." He continued that the police are doing a great job. He stated further that the tenants were told what to do - file a complaint against the owner. Councilman Mazza stated that the individual people are responsible and we are trying to help, but City Council's hands are tied.

Councilman Grova stated that he supports Director Jones' comments because these are different times. He continued that during the Pioneer Homes project, 250 vouchers were given. Unfortunately that situation does not exist. He stated further that if the owner plans to opt out, try to put pressure on the federal government and HUD.

Mr. Jones suggested going to HUD and speak with them. He continued that the project is going to happen, but it will take some time. He stated further that until time takes care of the problems, the tenants must be patient.

Councilman Jackus announced that Mr. Jones said something that was very interesting and, being a Vice Principal, Councilman Jackus asked Mr. Jones to elaborate on how the Board of Education had an impact on this project.

Mr. Jones stated that the fact of the relationship between the Board of Education and the City played a significant part in why the grant was not received.

Councilman Jackus repeated that the Board of Education had a significant part in why the application was denied.

Mr. Jones stated that the relationship has to become stronger.

Ms. Hart stated that the Choice Neighborhood application was HOPE VI. HOPE VI was replaced with Choice Neighborhood.

Councilman Jackus stated that the Board of Education was in violation of Title I funds and these people are suffering because of those funds.

Councilman Grova announced that if President Obama is not kept in office things will get worse because most programs will be cut. He stated further that the residents can come and fuss with Council, but it goes higher than here.

Mr. Jones questioned if anyone has explained to the residents, "Why." He continued that Oakwood Plaza was set up under the Corzine Administration; the Administration changed, and now you have this problem.

Councilman Jackus stated that Mr. Jones is correct because the Local Finance Board in Trenton knocked this project out and he did not know if these residents knew that the Board of Education is associated with Governor Christie.

Councilman Keenan stated that Mr. Jones mentioned that he has some involvement with Oakwood.

Mr. Jones responded that Oakwood Plaza is privately owned and he does not have direct authority or oversight of Oakwood Plaza. He continued that it has taken this long with demolition and he works closely with the City and will do what they can to aid the City.

Councilman Cedeno stated that in 2013 the Project Base vouchers will expire. He questioned if they do not opt out, do they renew? He stated further that he is for Tenant Base vouchers.

Ms. Hart stated that she does not know the owners' intentions. She continued that CIS will need those vouchers for cash flow. She stated further that CIS has received funds and tax credits. Ms. Hart stated that CIS may be able to keep some and convert some.

Ms. Hart stated that right now, the Housing Authority is working on a continuing resolution because it is already underfunded. She continued that 2013 will be a very difficult year.

Councilman Cedeno suggested to have the owner of Oakwood Plaza return to provide better communication as to the intention of the owner.

Councilwoman Perkins-Auguste spoke to the comment made in regard to it does not matter who wins the election. She continued that it will matter who wins the election. She stated further that come April if there is movement with the vouchers, what happens if tenants are cut out. Councilwoman Perkins-Auguste stated that this will be a "double whammy" if there are cuts at HUD. April will be here.

Mr. Jones stated that residents that are receiving will not be cut out. He continued that there is legislation that calls for a cut. He continued that there are 360 vouchers on the books at Oakwood Plaza and some of the project converted to Portable or Tenants, but he will check it out. He stated further that Section 8 is being "squeezed."

Council President Gonzalez thanked Director Jones and Ms. Hart for attending and hopefully the residents have a better understanding of the voucher system. He continued that he wants to do much more and agreed with Councilman Mazza when he mentioned that "our hands are tied." He stated further that he will try to set up another meeting because it is important for the residents to understand what is going on.

Council President Gonzalez announced that City Council is doing all that they can and it is difficult right now because it is a complicated situation.

The consensus was to take a five minute recess.

PUBLIC HEARINGS

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4333**, entitled:

AN ORDINANCE TO AUTHORIZE A LEASE AGREEMENT WITH THE PARKING AUTHORITY OF THE CITY OF ELIZABETH FOR PROPERTY LOCATED AT WEST JERSEY STREET AND UNION STREET, ALSO KNOWN AS LOTS 6-877, 6-1412, 6-1414, 6-1569, 6-1570; AND 6-1571 FOR PARKING.

This ordinance was adopted on its first reading at the meeting of City Council held on **October 8, 2012.**

The Notice of Public Hearing was published in the Star Ledger issue of **October 15, 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 October 11, 2012, from the Business Administrator requesting authorization for the Purchasing Agent to make the necessary arrangements to auction impounded property in the possession of the Elizabeth Police Department to be held by Propertyroom.Com, State pre-approved on-line auction site; date of sale will be set by the auction company and will be published in The Newark Star Ledger contingent upon City Council's approval.
Which was received.

By the Clerk:
Letter dated October 11, 2012, from the Business Administrator requesting an amendment to a resolution adopted September 25, 2012, awarding a contract to Ricoh USA, Inc., for the leasing of new photocopiers, specifically to include the language "and replacement photocopiers and for the payment of existing leased photocopiers" and add State Contract #82709.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated October 15, 2012, from the Business Administrator recommending the award of a contract to Continental Fire and Safety, Inc., 180 Volusia Avenue, Trenton, NJ, for the purchase of one (1) Oxygen Containment Fill Station Cascade System in the amount of $63,948.00.
Which was received.

By the Clerk:
Letter dated October 15, 2012, from the Business Administrator requesting authorization to establish a Salary Committee to review the salaries of non-represented employees of the City of Elizabeth; members will include Councilman Frank J. Cuesta, Councilman Carlos Cedeno, Councilman William Gallman, Jr., Business Administrator Bridget S. Zellner, Director William Reyes, Planning and Community Development, and Chief Financial Officer Anthony M. Zengaro.
Which was received.

By the Clerk:
Letter dated September 10, 2012, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/refund/credit the overbilling of taxes for 2011 Tax Year on the property located at 105-109 First Street in the total sum of $15,489.04.
Which was received.

By the Clerk:
Letter dated October 10, 2012, from the Chief Financial Officer requesting authorization to foreclose on properties listed on the attached Tax Foreclosure List, as provided in the In Rem Foreclosure Act.
Which was received.

By the Clerk:
Letter dated October 16, 2012, from the Chief Financial Officer advising that temporary emergency appropriations for the 2013 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated October 16, 2012, from the Chief Financial Officer is requesting that your Honorable Body consider the introduction of amendments to the 2013 SFY Budget and schedule a public hearing to be held on November 13, 2012.
Which was received.

By the Clerk:
Letter dated October 16, 2012, from the Chief Financial Officer requesting authorization for His Honor the Mayor to renew a Tax Abatement (PILOT) agreement with assigned Owner, CIS Oakwood, LLC, of Oakwood Plaza (Parker Road Parcel) for the length of the new Housing and Mortgage Finance Agency loan.
Which was received.

By the Clerk:
Letter dated October 16, 2012, from the Chief Financial Officer requesting an amendment to Bond Ordinance No. 4282, authorizing the installation of a synthetic turf field at O'Brien Field in the amount of $2.2 million dollars, specifically to increase the amount of the Bond by $1.4 million dollars raising the Bond Ordinance to $3,420,000.00 with a down payment of $180,000.00.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated October 12, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute agreements with non-profit agencies as listed on attached schedule to allocate CD #38, FY 2012 Emergency Solutions Grant funding in the amount of $164,633.00.
Which was received.

By the Clerk:
Letter dated October 12, 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 postpone the City's mortgage on the property located at 1464-1465 Lexington Place in the total amount of $440,706.00.
Which was received.

By the Clerk:
Letter dated October 15, 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 discharge the City's mortgage, Senior/Disabled Owner Occupied Program, on the property located at 63-65 Erie Street in the amount of $10,650.00.
Which was received.

By the Clerk:
Letter dated October 15, 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 an Owner-Occupied Basic Program, Deferred Payment Loan on the property located at 516-518 Riverside Drive in an amount not to exceed $19,000.00.
Which was received.

By the Clerk:
Letter dated October 12, 2012, from the Director of Public Works recommending the award of a contract to Magic Touch Construction Co., Inc., 59 West Front Street, Keyport, NJ, for the repairs and maintenance of the plumbing systems at various public buildings owned by the City for a two year period in an amount not to exceed $609,420.00.
Which was received.

By the Clerk:
Letter dated October 11, 2012, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of $8,940.74.
Which was received.

By the Clerk:
Letter dated October 12, 2012, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the boarding up of said properties in the amount of $2,751.90.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated October 15, 2012, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ, to provide civil engineering design services on a reimbursable basis for time and expenses in connection with the Park Avenue sewer flow metering at an estimated cost of $6,500.00.
Which was received.

By the Clerk:
Letter dated October 15, 2012, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ, to provide civil engineering design services in connection with the remediation of Combined Sewer Overflow Point 002 at a cost not to exceed $35,000.00.
Which was received.

By the Clerk:
Letter dated October 2, 2012, from the Police Director requesting the establishment of handicapped parking spaces in front of the premises located at: 402 First Avenue, 564 Jefferson Avenue (personalized), 90 R Marshall Street (personalized), 63 Florida Street (personalized), 451 Fulton Street (personalized), 313 High Street, Apt. 2F, 550 Walnut Street (personalized), 647 S. Park Street, 351 Jersey Avenue, 364 Cherry Street, 120 S. Park Street, First Floor, 436 Niles Street, 1012 North Avenue, 2nd Floor, 970 A Grove Street, 150 South Park Street, 985 Edgewood Road; deletions: 727 Van Buren Avenue, 1026 E. Grand Street, 28 Catherine Street, 955 Williams Street, 1st Floor, 119 Inslee Place, 717 Clarkson Avenue, 1068 South Elmora Avenue.
Which was received.

By the Clerk:
Letter dated October 2, 2012, from Mr. Michael D. Weaver, Manager, Atlantic Environmental Consulting Services, L.L.C., 5 Mountain Boulevard, Suite 12, Warren, NJ, requesting an Encroachment Permit to install one (1) temporary soil boring in the sidewalk in front of the property located at 508 Broadway.
Which was received.

By the Clerk:
Letter dated October 4, 2012, from Ms. Michelle Nelson, HWP, LLC, P.O. Box 9431, Elizabeth, requesting an Encroachment Permit to install a solar-powered mobile device charging kiosk, called "The Juice", on Broad Street near the bus shelter located in front of 90 Broad Street.
Which Was Referred To Council As A Whole.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter dated October 23, 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, October 19, 2012.
Which was received.

ORDINANCES ON FIRST READING

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4335** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, AMENDING ORDINANCE NUMBER 4282 OF THE CITY FINALLY ADOPTED FEBRUARY 14, 2012, PROVIDING FOR IMPROVEMENTS TO O'BRIEN FIELD LOCATED IN THE CITY OF ELIZABETH AND APPROPRIATING $3,600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $3,420,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4336** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO ATLANTIC ENVIRONMENTAL CONSULTING SERVICES, L.L.C., (ATLANTIC), TO INSTALL ONE (1) TEMPORARY SOIL BORING WITHIN THE PUBLIC RIGHT-OF-WAY OF 508 BROADWAY(BLOCK 3, LOT 24.A), 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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4337** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT
OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR
CYNTHIA MALLACK, 564 JEFFERSON AVENUE., ELIZABETH, NEW JERSEY 07201.

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 - 9

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4338** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT
OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR
JEREMEY E. FUENTES, 90 R. MARSHALL STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4339** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT
OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR
HELEN MOSLEY, 550 WALNUT STREET, ELIZABETH, NEW JERSEY 07201.

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 - 9

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4340** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR DANIEL M. BRAVO, 1051 LAFAYETTE STREET, ELIZABETH, NEW JERSEY 07201.

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 - 9

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4341** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3489, ADOPTED ON JANUARY 28, 2003, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR LAURA FERNANDEZ, 119 INSLEE PLACE, 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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4342** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3969, ADOPTED ON MAY 9, 2008, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR LUZ ANGELA MUNOZ, 1026 EAST GRAND STREET AND ESTABLISH SAME AS 'RESERVED' SPACE.

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 - 9

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4343** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AMEND CHAPTERS 5.08.100F AND 5.08.100G OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "LICENSE TRANSFERS-PROXIMITY TO EXISTING LICENSED PREMISES-EXCEPTIONS"

Councilwoman Perkins-Auguste requested a "friendly amendment to include the language "place to place, or person to person.

The Attorney responded that the two (2) year restriction was only for "place to place".

Councilman Keenan state that his recollection was from "place to place not "person to person." He continued that they are actually different.

Councilwoman Perkins-Auguste stated that the stipulation was to put a time on the transfer since eliminating the distance issue.

Council President Gonzalez thanked his colleagues for the change and allowing the business owners to move because it is a "win win" for everyone.

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 - 9.

NEGATIVE: None

President Gonzalez announced that public notice will be published fixing Tuesday evening November 13, 2012 at 3:00 P.M., City Council Chamber, City Hall, Elizabeth, N.J. as the time and place that City Council will conduct public hearings and further consider foregoing Ordinance No. 4335, 4336, 4337, 4338, 4339, 4340, 4341, 4342, 4343 adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4333** , which was seconded by Councilman Cuesta:

AN ORDINANCE TO AUTHORIZE A LEASE AGREEMENT WITH THE PARKING AUTHORITY OF THE CITY OF ELIZABETH FOR PROPERTY LOCATED AT WEST JERSEY STREET AND UNION STREET, ALSO KNOWN AS LOTS 6-877, 6-1412, 6-1414, 6-1569, 6-1570; AND 6-1571 FOR PARKING.

WHEREAS, the Parking Authority is requesting that the City lease to it property located at West Grand Street, and Union Street also known as for Lots 6-877, 6-1412, 6-1414, 6-1569, 6-1570, 6-1571 for continued use as an off-street parking facility.

WHEREAS, the Parking Authority has requested a lease term of a minimum of five (5) years for a nominal consideration. All costs associated with the operation, maintenance and insurance of the lot which accommodates approximately 150 vehicles of this site shall be borne by the Parking Authority; now, therefore,

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

SECTION 1. - That City Council of the City of Elizabeth authorizes a lease agreement with the Parking Authority of the City of Elizabeth for property located at West Jersey Street and Union Street, also known as Lots 6-877, 6-1412, 6-1414, 6-1569, 1-1570 and 1-1571 for parking for a term of five (5) years for a consideration of One-Dollar ($1.00) per year.

SECTION 2. - The Parking Authority of the City of Elizabeth, New Jersey will bear all costs associated with the construction, operation, and maintenance of an off street parking facility which accommodates approximately 150 vehicles.

SECTION 3. – The Parking Authority shall maintain all insurance necessary to construct, operate and maintain the off street parking facility during the term of the lease including coverage for bodily injuries in amounts not less than One Million Dollars ($1,000,000.00) for injury or death of any one person and One Million Dollars ($1,000,000.00) for injury or death arising from any one accident; and Property Damage Insurance in the amount of not less than Five Hundred Thousand Dollars ($500,000.00) for any one accident. The Parking Authority will furnish the City with a certificate of insurance for the aforementioned coverage.

SECTION 4. - The lease agreement shall be in such form that is satisfactory to the Business Administrator and the City Attorney.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 6. 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 7. 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 . **October 8, 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 **October 15, 2012.**

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

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

NEGATIVE: None

Councilman Cuesta **MOVED** for a Suspension of the Rules to consider a resolution which did not appear on the Agenda, seconded by Council President Gonzalez, and

Which was carried unanimously.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of Planning and Community Development has requested authorization in support of the funding application submitted to the North Jersey Transportation Planning Authority by the County of Union. The focus of the County's request is to replace the South Front Street Bridge, which has been closed to vehicular traffic for more than a year. This moveable Bridge remains in an upright, open position to allow for the passage of marine traffic; and

WHEREAS, as the fourth largest municipality in New Jersey and the Union County Seat, the City of Elizabeth is an economic and transportation destination. Therefore, the municipality depends upon a reliable transportation system that enables the efficient movement of people, goods and services; and

WHEREAS, the South Front Street Bridge was closed in early 2011, limiting local, visitor and emergency vehicle access to and from Elizabethport. Detour routes have increased the amount of travel time in this area of the City; and

WHEREAS, in addition to crippling traffic flow as well as the eyesore that has been created, the closure has also eliminated the ability of Police, Fire and EMS to travel across the Bridge in an event of an emergency, reducing points of entrance and exit can limit effectiveness; and

WHEREAS, the South Front Street Bridge also provides the only direct egress to the City's commercial waterfront area and is the only access point directly from Elizabeth Avenue. This closure has created a dead-end on the north part of South Front Street, inhibiting commercial operations and the marketing appeal of this development area; and

WHEREAS, this anticipated funding will support the replacement of the South Front Street Bridge and enable access to be restored; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth supports the funding application be submitted to the North Jersey Transportation Planning Authority by the County of Union. The focus of the County's request is to replace the South Front Street Bridge, which has been closed to vehicular traffic for more than a year. This moveable Bridge remains in an upright, open position to allow for the passage of marine traffic. It is in the best interest of the City of Elizabeth to support this anticipated funding for the replacement of the South Front Street Bridge which will enable access to be restored for the efficient movement of people goods and services in the City of Elizabeth and Union County.

Councilman Grova thanked the Administration because this bridge has been closed for a while.

Regular order of business resumed.

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NEW BUSINESS

City of Elizabeth

County of Union

WHEREAS, the local municipal budget for the fiscal year 2013 was approved on the 11th day of September 2012, and,

WHEREAS, it is desired to amend said approved budget, now

THEREFORE BE IT RESOLVED, by the City Council of the City of Elizabeth, County of Union, that the following amendments to the approved budget of fiscal year 2013 be made:

RECORDED VOTE AYES { NAYS: { ABSTAINED: {

21

	FROM	TO
(A) Operations Excluded from CAPS		
Reserve for Tax Appeals	4,250,000.00	4,700,000.00
Hospital, Medical, Dental Insurance	1,420,000.00	970,000.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for his certification of the local municipal budget so amended.

These amendments will be published in the Star Ledger on Monday November 5, 2012.

A hearing on the amendments will be held at City Council Chambers, on November 13, 2011, at 3:00 P.M., at which time and place objections may be presented by taxpayers or other interested persons.

~~IT IS HEREBY CERTIFIED that this is a true copy of the resolution amending the budget, approved by the governing body on the 22nd day of October 2012.~~

~~Certified by me on October 24, 2012~~

~~City Clerk~~

Which was adopted by the following vote:

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

NEGATIVE: None

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City of Elizabeth

CAPITAL BUDGET

2013 SFY

Amendment

Whereas, it is desired to amend the Fiscal Year 2013 Capital Budget,

Now, Therefore Be It Resolved, by the City Council of the City of Elizabeth, County of Union, that the following projects constitute a part of the capital budget section of the Fiscal Year 2013 Capital Budget .

~~Recorded Vote:~~

AYES: (

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~~NAYS:~~ (

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~~ABSENT:~~ (

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6 YEAR CAPITAL PROGRAM FY2013 TO FY2018

PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2013

Local Unit CITY OF ELIZABETH

1	2	3	4	PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2013					6
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	AMOUNTS RESERVED IN PRIOR YEARS	5a FY2011 BUDGET APPROPRIATION	5b CAPITAL IMPROVEMENT FUND	5c Capital Surplus	5d Grants-in-Aid and Other Funds	5e Debt Authorized	TO BE FUNDED IN FUTURE YEARS
O'Brien Field - Amendment Bond Ord. 4282 increase		1,400,000.00			70,000.00			1,330,000.00	
Totals - All Projects		1,400,000.00			70,000.00			1,330,000.00	

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6 YEAR CAPITAL PROGRAM FY2013 TO FY2018
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Local Unit CITY OF ELIZABETH

1	2	3		FUNDING AMOUNTS PER BUDGET YEAR					
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	5a FY2013	5b FY2014	5c FY2015	5d FY2016	5e FY2017	5f FY2018
O'Brien Field - Amendment Bond Ord. 4282 increase		1,400,000.00		1,400,000.00					
Totals - All Projects		1,400,000.00		1,400,000.00					

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6 YEAR CAPITAL PROGRAM FY2013 TO FY2018
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit CITY OF ELIZABETH

1	2	BUDGET APPROPRIATION		4	5	6	BONDS AND NOTES			
PROJECT TITLE	ESTIMATED TOTAL COST	3a Current Year FY2013	3b Future Years	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS-IN-AID AND OTHER FUNDS	7a General	7b Self Liquidating	7c Assessment	7d School
O'Brien Field - Amendment Bond Ord. 4282 Increase	1,400,000.00	1,400,000.00		70,000.00			1,330,000.00			
Totals - All Projects	1,400,000.00	1,400,000.00		70,000.00			1,330,000.00			

Be it Further Resolved, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution constituting a part of the capital budget section of the Temporary 2013 Fiscal Year Capital Budget

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, in accordance with in accordance with **N.J.S.A.**40A:14-157 and P.L. 2001,C.30 this Municipality is authorized to dispose of surplus personal property in the possession of the Elizabeth Police Department by sale at public auction; and

WHEREAS, certain impounded tangible property has come into the possession of the Elizabeth Police Department, which includes but is not limited to electronics, home goods, clothing, jewelry, shoes and power tools; and

WHEREAS, the said property has been in the possession of the Elizabeth Police Department for more than six months; and

WHEREAS, the surplus personal property are not needed for public use; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9; and

WHEREAS, the auction will conform to all State and Municipal regulations and can be disposed of in accordance with **N.J.S.A**. 40-157 and P.L.2001, c.30. **The auction is being requested to be held by Property Room.com, State preapproved on-line auction site.** The date of the sale will be set by the auction company and will be published in the "Newark Star Ledger"; and

WHEREAS, the terms of the agreement entered into with Property Room.com are available on its website and are available in the Office of the Purchasing Agent; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby authorizes the sale of the impounded tangible surplus personal property in possession of the Elizabeth Police Department set forth hereinabove by **PropertyRoom.com** State preapproved online auction site; and be it

FURTHER RESOLVED that viewing of the surplus personal property may be reviewed on the web-site of **Property Room.com**, State pre-approved on-line auction site; and be it

FURTHER RESOLVED that the net proceeds from the within sale shall be paid into the general municipal treasury of the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested authorization to amend the resolution adopted on September 25, 2012 authorizing the award of a contract to **Ricoh USA, Inc., 19 Chapin Road, PO Box 2008, Pinebrook, NJ 07058,** for the leasing of new photocopiers for the period of September 1, 2012 through August 13, 2013 in an amount not to exceed $75,000.00 under State Contract #A64039 **to include replacement photocopiers and for the payment of existing leased photocopiers under their State Contracts #64039 and #82709**; and

WHEREAS, the State has changed the cost per copy contract, #64039, to be used for the payment of existing leases only. There has been a new contract issued for the addition of new or replacement leases State Contract #82709; 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 the resolution adopted September 25, 2012 that awarded a contract to **Ricoh USA, Inc., 19 Chapin Road, PO Box 2008, Pinebrook, NJ 07058,** for the leasing of new photocopiers for the period of September 1, 2012 through August 13, 2013 in an amount not to exceed $75,000.00 under State Contract #A64039 be amended **to include replacement photocopiers and for the payment of existing leased photocopiers under their State Contracts #64039 and #82709.**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent concur with the Fire Department Director and the Chief of the EMS Division recommendation for the award of a contract to the low bidder meeting specifications **Continental Fire and Safety, Inc., 180 Volusia Ave., Trenton, New Jersey 08610,** for the furnishing of an Oxygen Containment Fill Station Cascade System for the Ambulance Service Bureau of the Fire Department in the amount of $63,948.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.13-02785, charging the amount of $63,948.00 to Account No. G-02-41-762-12 of the Municipal Budget is on file in the Office of the City Clerk; 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 been complied with by **Continental Fire & Safety, Inc.;** now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to **Continental Fire and Safety, Inc., 180 Volusia Ave., Trenton, New Jersey 08610,** for the furnishing of an Oxygen Containment Fill Station Cascade System for the Ambulance Service Bureau of the Fire Department in the amount of $63,948.00.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to establish a Salary Committee to review and make recommendations on the salaries of non-represented employees of the City of Elizabeth; and

WHEREAS, the Business Administrator recommends that the Salary Committee include the following individuals: Councilman Frank J. Cuesta, Councilman Carlos Cedeno, Councilman William Gallman, Jr., Bridget S. Zellner, Business Administrator, William Reyes, Director of Planning and Community Development, and Anthony M. Zengaro, Chief Financial Officer; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the establishment of a Salary Committee to review and make recommendations on the salaries of non-represented employees of the City of Elizabeth.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, 107 First Street Urban renewal Corp, were the owners of the property located at 105-09 First St (Tax Account #2 – 305 – T02), and

WHEREAS, there was an Added Assessment erroneously placed on the property for the 2011 Tax Year in the amount of $68,000 Assessed, and

WHEREAS, this resulted in an overbilling of taxes for the 2011 Tax Year in the amount of $15,489.04 ($68,000 Assessment x $22.778 2011Tax Rate, now, therefore, be it

RESOLVED, That the Tax Collector be authorized to cancel/refund/credit the total sum of $15,489.04. This amount represents an over billing of taxes for 2011 Tax Year.

Which was adopted by the following vote:

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

NEGATIVE: None

By City Council as a Whole:

RESOLVED, that the City Council of the City of Elizabeth hereby determines that the City of Elizabeth foreclose, by summary proceedings In Rem, as provided in the In Rem Foreclosure Act, the Tax Sale Certificates held by it as listed on the attached Tax Foreclosure Lists.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to execute **Community Development Block Grant (CDBG #38)** 2012 agreements for funding year 2012 Emergency Solutions Grant Funding (ESG) with the non-profit agencies shown on the attached **Schedule A** which is made a part hereof to provide the services set forth in the descriptions of each contract for the periods shown in the amounts indicated for each contract shown on **Schedule A**; 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 recipients of funds for CDBG contracts listed on the attached **Schedule A** that exceed $50,000.00 have complied with 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 these purposes and certifications charging the appropriate amounts to the appropriate account for the respective contracts shown on **Schedule A** are on file in the Office of the City Clerk; 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 contracts in the certifications of EUS which are on file in the Office of the City Clerk; 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 to execute **Community Development Block Grant (CDBG # 38)** 2012 agreements for funding year 2012 Emergency Solutions Grant Funding (ESG) with the non-profit agencies in the amounts and for the purposes setforth on the attached **Schedule A.**
2. A notice of this action shall be published in **The Star Ledger**.

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, CIS Oakwood, LLC (the "Owner"), is the owner of property in the City of Elizabeth, New Jersey (the "City"), known as "Oakwood Plaza" (the "Property"); and

WHEREAS, the Property is currently subject to a Tax Abatement Agreement, dated November 22, 1981, as assigned to the Owner on June 24, 2009 (the "Existing Tax Abatement Agreement") pursuant to the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the "HMFA Requirements" or the "HMFA Act"), in connection with the Owner's purchase of the Property; and

WHEREAS, the Owner, at the time of acquisition of the Property, further assumed a mortgage loan (the "Existing HMFA Loan") from the New Jersey Housing and Mortgage Finance Agency (the "HMFA"); and

WHEREAS, the Property is the subject of a City Redevelopment Plan, pursuant to which the Property is being redeveloped in phases, and has been subdivided into separate parcels in order to accomplish the same (the "Phased Redevelopment"); and

WHEREAS, the HMFA on or around October 2012 is making a new mortgage loan (the "New HMFA Loan") in order to pay off in full the Existing HMFA Loan, to provide needed capital improvements to one of the subdivided parcels, specifically Lot 451D, Block 11 (the "Parker Road Parcel"), and to stay current on debt service payments to the Union County Improvement Authority, which New HMFA Loan is to be secured solely by the Parker Road Parcel; and

WHEREAS, the Parker Road Parcel will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Owner and the HMFA in connection with the New HMFA Loan; and

WHEREAS, the HMFA Act permits a municipality to grant a tax abatement to real property which has received HMFA financing, and the HMFA in connection with the New HMFA Loan has required that the terms of the Existing Tax Abatement Agreement be renewed as a condition to making the New HMFA Loan; and

WHEREAS, the City desires to renew the terms of the Existing Tax Abatement Agreement with respect to the Parker Road Parcel for the length of the New HMFA Loan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Elizabeth (the "Council") that the Council hereby approves an extension of the Existing Tax Abatement Agreement and the terms thereof to the Parker Road Parcel for the term of the New HMFA Loan, currently expected to be five (5) years, and further hereby authorizes and directs the Mayor of the City to execute, on behalf of the City, any documents, agreements or certificates which are necessary or required in order to effectuate the provisions of this resolution.

Councilman Keenan stated that CIS came and "painted a rosy picture" and that was not the case. He continued that it was great to have the Housing Authority here, but as indicated, it is not their problem and to encourage CIS to open lines of communication with the residents. He stated further that City Council has a commitment to hear from residents and CIS should meet with the residents.

Council President Gonzalez requested that a letter be sent to CIS to address this governing body. He continued that this resolution is necessary and they will be invited to the meeting.

Councilman Mazza stated to have the people call the City Clerk and have them forward their complaints and this way the owner will have accountability. He queried to what has happened with the Mayor. He stated further that this agency is working with a certain amount of money.

Council President Gonzalez responded that the Clerk takes notes and directs the complaints to the proper departments.

Councilman Mazza stated CIS definitely needs to address these issues.

Councilwoman Perkins-Auguste suggested to have one "point" person going forward so concerns are addressed. She continued that she does not agree with tabling this item so they can move forward and they need to know that there is responsibility.

Council President Gonzalez agreed with his colleagues to have Administration appoint the "point person" regarding Oakwood Plaza.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City officials to execute any and all documents necessary and appropriate to postpone a two mortgages given to **Associates Sixty-Four, L.P., 17 Academy Street, Newark, NJ,** on the property known as **1464-1465 Lexington Place, Elizabeth, New Jersey** by the City of Elizabeth; and

WHEREAS, the City County holds two mortgages on the aforementioned property for a total amount of $440,706.00 (mortgage dated June 6, 1995 in the amount of $330,000.00 and another mortgage in the amount of $110,706.00, dated October 13, 2006). Both loans are forgivable ten years after project completion. The City will continue to hold both mortgages. However, both mortgages will be subordinated to a new mortgage given by Sovereign Bank in the amount of $1,400.000.00 to lower the interest rate and to reduce the term; and

WHEREAS, the Director of the Department of Planning & Community Development advises that such a postponement be authorized; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the postponement of the City of Elizabeth's mortgages on property located at **1464-1465 Lexington Place, Elizabeth, New Jersey,** to a new mortgage to be given by Sovereign Bank **to Associates Sixty-Four, L.P., 17 Academy Street, Newark, New Jersey,** and further authorizes the Mayor and the City Clerk to execute any and all documents in order to postpone said mortgages.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City of Elizabeth holds second mortgage given by **Peter Palamar,** owner of the mortgage premises located at **63-65 Erie Street, Elizabeth, New Jersey**; and

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to Discharge of First & Second Mortgages held by the City of Elizabeth; and

WHEREAS, this is a Senior/Disabled Owner Occupied Program loans with, Mortgage Date of October 18, 2006 and December 1, 2006, (Mortgage Book 11907-0240 & M11964-0871) given on **63-65 Erie Street, Elizabeth, New Jersey**; and

WHEREAS, the affordability period has been successfully completed and the owner is entitled to a Discharge of both the First and Second Mortgages; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Discharge of both the First and Second Mortgages and further authorizes the Mayor and the City Clerk to execute any and all documents in order to Discharge of both Mortgages.

Which was adopted by the following vote:

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

NEGATIVE: None

[redacted]

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning & Community Development has advised that **Nira Williams, 516-518 Riverside Drive, Elizabeth, New Jersey 07208**, has applied for financial assistance under the City of Elizabeth's Owner Occupied Basic Program for the rehabilitation of **516-518 Riverside Drive, Elizabeth, New Jersey 07208**, a one (1) unit house including: steps, paving paint exterior, plumbing, electrical, walls, floors and railings; and

WHEREAS, the maximum assistance to be provided is not to exceed $19,000.00 in a 0% interest rate Deferred Payment forgivable loan with ten (10) year affordability period; and

WHEREAS, the total estimated project cost is $21,883.00; 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 No.3-02889, charging the amount of $18,941.00 to Account Number 3-21-56-300-003 (Summit RCA) , 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 a ten year forgivable loan be given to **Nira Williams, 516-518 Riverside Drive, Elizabeth, New Jersey 07208**,under the Owner Occupied Basic Program at zero percent interest loan in the maximum amount of $19,000.00 provided the property is maintained as affordable housing according to applicable Federal regulations and the terms of the City's Owner-Occupied Basic Program for a period of ten years; and

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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on October 10, 2012 it received two (2) bids for the repairs and maintenance of the plumbing systems at various public buildings owned by the City of Elizabeth; and

WHEREAS, the Director of the Department of Public Works has requested the award of a contract to the lowest bidder, **Magic Touch Construction Co., Inc., 59 West Front Street, Keyport, NJ 07735,** for the repairs and maintenance of the plumbing systems at various public buildings owned by the City of Elizabeth. The total bid amount for the first year is $279,710.00 and for the second year, is $329,710.00. The combined amount bid for both years is $609,420.00; 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 **Magic Touch Construction Co., Inc.,**; 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 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 **Magic Touch Construction Co., Inc., 59 West Front Street, Keyport, NJ 07735,** the lowest responsible bidder, for the repairs and maintenance of the plumbing systems at various public buildings owned by the City of Elizabeth. The total bid amount for the first year is $279,710.00 and for the second year, is $329,710.00. The combined amount bid for both years is $609,420.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

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

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

Certificate Invoice 10/11/2012 Total Amount: $8,940.74.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

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

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

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

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

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

Certificate/Invoice 10/12/12 Total Amount $2,751.90.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to be qualified to provide the City of Elizabeth with professional engineering design services in connection with the Park Avenue Sewer Flow Meeting; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to provide professional civil engineering design services on a reimbursable basis for time and expenses in connection with the Park Avenue sewer flow metering at a cost not to exceed $6,500.00; and

WHEREAS, the scope of services will provide for the installation of three (3) flow velocity meters along Park Avenue in the existing 48 inch brick sewer for a period of four (4) weeks. The meters will be installed near the intersections of Palisade Road, Harding Road and Galloping Hill Road, as per their proposal dated October 9, 2012. The objective of this project is to gauge the flow upstream of the recently completed Park Avenue/Westfield Avenue sewer project; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02997, charging the amount of $6,500.00 to Account No. X-04-55-039-034, of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to provide professional civil engineering design services on a reimbursable basis for time and expenses in connection with the Park Avenue sewer flow metering at cost not to exceed $6,500.00.

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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to be qualified to provide civil engineering design services in connection with the Remediation of CSO Point 002; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to provide professional civil engineering design services at a cost not exceed $35,000.00 plus reimbursables in connection with the Remediation of Combined Sewer Overflow (CSO) Point 002; and

WHEREAS, the CSO regulator number 002 located at the intersection of Division Street and Fairmount Avenue has been blocked in an effort to redirect flow to another CSO discharge point to address frequent flooding in the area. This configuration has been deemed unacceptable by the NJDEP and requires remediation. Hatch Mott MacDonald will evaluate the feasibility of creating an express sewer from Regulator 002 to the netting chamber, separating the storm and sanitary flows and modifying or rehabilitating the chamber. This scope of services will also include utilizing existing topographic survey data, meeting with property owners to discuss flooding of their properties, visual inspection of CSO 002 and the Great Ditch outfall, verifying existing utilities, utilizing modeling software to analyze the existing conditions, evaluation of the feasibility of creating sewer easements through private property, determining the required permits and preparation of a preliminary report discussing the findings of the investigation as per their proposal dated October 9, 2012; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02995, charging the amount of $ 35,000.00 to Account No. X-04-55-039-034, of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with the firm of **Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008,** to provide professional civil engineering design services at a cost not to exceed $35,000.00 plus reimbursables in connection with the Remediation of Combined Sewer Overflow (CSO) Point 002.
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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

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 **351 Jersey Avenue, Elizabeth, New Jersey 07202**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curbline of Monroe Avenue
beginning at a point 93' North of Alina Street
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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

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 **364 Cherry Street, Elizabeth, New Jersey 07208,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curbline of Cherry Street
beginning at a point 178' South of Sayre Street
and continuing 22' 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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

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 **970 A. Grove Street, Elizabeth, New Jersey 07208**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curbline of Grove Street
beginning at a point 76' West of New York Avenue
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, Cuesta, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

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 **985 Edgewood Road, Elizabeth, New Jersey 07208**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curbline of Edgewood Road
beginning at a point 94' East of Shelley Avenue
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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

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 **641 First Avenue, Second Floor, Elizabeth, New Jersey 07206**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curbline of First Avenue
beginning at a point 110 East of Christine 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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

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 **1012 North Avenue, Second Floor, Elizabeth, New Jersey 07201**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curbline of North Avenue
beginning at a point 116' East of VanBuren Avenue
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, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9
NEGATIVE:	None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby amends Chapter 10.44.020 of the Code of the City of Elizabeth to delete the handicapped parking spaces at premises commonly known as **727 Van Buren Avenue, 28 Catherine Street, 1068 South Elmora, 955 Williams Street, and 717 Clarkson Avenue, Elizabeth, New Jersey** in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

RESOLVED that the City Council of the City of Elizabeth rescind the resolution adopted September 25, 2012, establishing a handicapped parking space in front of the premises located at 564 Jefferson Avenue, specifically to make 564 Jefferson Avenue, a "Personalized" handicapped parking space.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Edward Gutauckis v. City of Elizabeth, et al, CP No.: 2011-31230;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended a settlement for 33.33% of partial total or $73,926.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02879 charging the amount of $73,926.00 to Account No. 03-21-56-249 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby approves and authorizes the settlement of the claim in an amount of $73,926.00 payable to **Edward Gutauckis , 146 Franklin Street, Elizabeth, New Jersey 07206,** and the **Attorney for the Petitioner, Afonso & Afonso, LLC, 546 Elizabeth Avenue, Elizabeth, New Jersey 07206.**

Which was adopted by the following vote:

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

NEGATIVE: None

EXCUSED: GROVA — 1

BY CITY COUNCIL AS A WHOLE: [redacted]

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

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

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

ALLIED OIL CO.	**3-01-31-460**	**$**	**7,463.56**
ELIZABETHTOWN GAS	**3-01-31-446**	**$**	**4,529.44**
FLEETCOR TECHNOLOGIES SERVICE	**3-01-31-460**	**$**	**110,088.85**
HESS CORP.	**3-01-31-446**	**$**	**81,745.88**
NATIONAL TERMINAL, INC.	**3-01-31-447**	**$**	**6,721.05**
NRG BUSINESS SOLUTIONS	**3-01-31-430**	**$**	**1,464.27**
PSE&G	**3-07-55-500-SEW-351**	**$**	**11,012.84**
SPRINT	**3-01-31-440**	**$**	**1,853.25**
VERIZON	**3-01-31-440**	**$**	**58,684.73**
VERIZON CABS	**3-01-31-440**	**$**	**194.51**
VERIZON WIRELESS	**3-01-31-440**	**$**	**21,093.08**
VERIZON COMMUNICATIONS INC.	**3-01-31-440**	**$**	**3,766.30**

Which was adopted by the following vote:

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

NEGATIVE: None

~~October 23, 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 activity for this month

Which was adopted by the following vote:

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

NEGATIVE: None

Council President Gonzalez announced that this is Domestic Violence Month.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the United Youth Council will be honoring Shawn M. McClain for his outstanding commitment to education and for his service to the community; and

WHEREAS, Shawn M. McClain was a student athlete who graduated from Delaware State University with a double major in Sociology and Criminal Justice. He is presently working on his Master's Degree at Kean University in Special Education; and

WHEREAS, Shawn is known for working with the youth in his community by utilizing his vast training and experience in community organizations and networking skills. He is known for being a dedicated community leader; and

WHEREAS, upon graduation from Delaware State University he began working for the State of Delaware Ferris School of Boys and later was promoted to Mowlds Cottage, a lockdown correctional facility for boys, a level four transitional group home. He planned and organized "Big Brother's Day" where each young man was matched up with a member of his "Omega Psi Phi Fraternity". Shawn received the "Employee of the Quarter" award from the State of Delaware. This sparked the creation of "Millennium Mentorship Program, Inc"; and

WHEREAS, in 1998 Shawn returned to Elizabeth, N.J., and became involved with Trinitas Hospital and worked with youth who had substance abuse issues. For his outstanding community service he received the "Sapphire Gem Award. He is a graduate of the Neighborhood Leadership Initiative", sponsored by Governor Whitman. In 2001, he was promoted to a Mobil Crisis Worker and received a job with the Elizabeth Housing Authority as a case worker with the Hope IV Program which helps people in the community reach economic self sufficiency; and

WHEREAS, Shawn ran various youth programs throughout the City of Elizabeth: Back to School Cookouts, Tutorial Programs, Mentoring, College Enrollment programs, Youth Fashion Shows, Toy Drives, Holiday Dinners, Summer Camps, Afterschool Programs, Coach Pop Warner Football,(he was a Former Board Member of the Elizabeth Packers), Black History Programs, Go Green Programs, Film Making Programs, Boy Scout Programs. He was the recipient of numerous awards: In 2006, he received the "Good Neighbor Award", Charlie Harris Award for Youth Services, Senator Lesniak Outstanding Community A Service Award", and the Elizabeth Fire Department Hurricane Katrina Award; and

WHEREAS, since 1986, he was a former College/Arena/Semi Pro/Professional Football Player twenty-five years. He won two undefeated semi pro national championships with the NJ Terminators and the Brooklyn Mariners, 1997 Defensive player of the year and won a MEAC championship at Delaware State University. Shawn also coached a semi-pro team called the Hudson County Bounty Hunters to the national championship in 2012; and

WHEREAS, Shawn McClain is a prime example of one person's vision to make an impact on his community, emphasizing the importance of academics and athletics. He has made a commitment to give back and help his community; and

WHEREAS, Shawn is the proud father of two daughters, Brianna and Sanaa, and a son Zackary; now, therefore, be it

RESOVLED that the City Council of the City of Elizabeth commends Shawn McClain for being Commended by the United Youth for his outstanding commitment to education and community leadership qualities and his commitment to the City of Elizabeth; and be it

FURTHER RESOLVED that a certified copy of this resolution be spread in full upon the minutes of City Council and a certified copy be sent to Shawn M. McClain.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the Irish American Society of Union will be honoring Anthony (Tony) Brennan at an Annual Dance on November 3, 2012; and

WHEREAS, he is a graduate of Thomas Jefferson High School and the former Kean College of NJ. He received a Bachelor's degree in History at Kean as well as a Post Baccalaureate in Political Science.

WHEREAS, Tony has worked for the New Jersey Division of Consumer Affairs, Office of Consumer Protection for over twenty-six years. He serves as Training Officer for the State, County and Municipal Consumer Affairs agencies in NJ, Evidence Custodian of the Office of Consumer Protection, Back-up Unit Supervisor for OCP's General Investigations and Special Projects Unit, Audio-Visual Coordinator for OCP, and Legislative Referrals Coordinator, also for the Office of Consumer Protection; and

WHEREAS, Tony has also worked in local media for many years. He was "on air" personality at 2 Union County radio stations; WJDM and WERA. He also worked for local cable TV for over nineteen years, first with the former TKR Cable in Elizabeth, the current Cablevision, and currently at Union TV34. He is the host of "Vintage Views," the Union County a program devoted to senior issues. But perhaps what Tony is best known for is that he has been the lead "television voice" of the Union County Saint Patrick's Day Parade since 1998. The parade is shown on cable outlets all over central and northern New Jersey as well as on the internet; and

WHEREAS, Tony is a proud parishioner of Saint Genevieve's Church in Elizabeth. He recently became a Eucharistic Minister; and

WHEREAS, Tony is involved with organizations that promote Irish culture and heritage. He is a long- time member of the Union County St. Patrick's Day Parade Committee. He is a member of the Nugent Association, the Friendly Sons of Saint Patrick and the Irish American Society of Union. He is also a member of the Knights of Columbus Council 253 in Elizabeth, NJ; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth takes pride in and congratulates Anthony (Tony) Brennan, for being honored by the Irish American Society of Union at their Annual Dance on November 3, 2012 and wishes him continued success in all of his future endeavors; and be it

FURTHER RESOLVED that a certified copy of this resolution be spread in full upon the minutes of City Council and a certified copy be sent to Anthony (Tony) Brennan.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the Irish American Society of Union, will be honoring Kathryn Noonan-Rotando at an Annual Dance on November 3, 2012; and

WHEREAS, Kathryn Noonan-Rotando graduated from St. Catherine's Grammar School in Hillside, and St. Mary of the Assumption High School in Elizabeth, N.J. She currently resides in Elizabeth and is a member of St. Genevieve's parish, and is employed by the County of Union; and

WHEREAS, after her father, the late James M. Noonan passed away, Kathy made it her mission to join every Irish organization that he belonged to in his memory. Several years ago she was named an Honorary Union County Emerald Society member which completed her mission, she finally was a member of every Irish club her father was a member; and

WHEREAS, Kathy is a member of the Joseph Nugent Association and currently holds the position of "Good and Welfare Officer". She was named their Irish Woman of the Year in 2009. She has been co-chairperson of several Nugent dances and serves or has served on committees for the annual Membership Social, the Make-A-Wish picnic, and co-chaired a fundraiser for the Peggy Colony House Hospice, and Charity Ball Committee for the Center for Hope Hospice. Some of the other organization which Kathy belongs to are: Elizabeth Anne Seton Ladies Ancient Order of the Hibernians, Union County Irish-American Association, St. Mary of the Assumption High School Advisory Board, Elizabeth and Union Elks 1583; and

WHEREAS, Kathy is a member of the Union County St. Patrick's Day Parade Committee. Currently she is first Vice-Chairwoman, and serving as co-chair of the Pin Committee and co-chair of the upcoming celebrity bartender event. She was the Adjutant of the 2011 Parade and has held the positions of Financial Secretary and Deputy Adjutant; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth takes pride in and congratulates Kathryn Noonan-Rotando, for being honored by the Irish American Society of Union at their Annual Dance on November 3, 2012 and wishes her continued success in all of her future endeavors; and be it

FURTHER RESOLVED that a certified copy of this resolution be spread in full upon the minutes of City Council and a certified copy be sent to Kathryn Noonan-Rotando.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that J. Sacco & Sons Meat Market is celebrating its 65th Anniversary of operating a successful business in the Peterstown Section of the City of Elizabeth; and

WHEREAS, Sacco's Meat Market opened its doors in 1940 in the Peterstown Section of Elizabeth. In this traditional Italian American neighborhood the Sacco family worked long hours building trust and respect for its dedication to its customers along with good family values; and

WHEREAS, John Sacco and his siblings learned their trade growing up in the family business. There is nothing automated about his production or prepackaging of his products. All of his meats are handpicked and hand-cut; and

WHEREAS, Councilman Frank O. Mazza and his family have been customers of Sacco's Meat Market for the past forty-six years; and

WHEREAS, on October 26, 2012, J. Sacco & Sons will be celebrating its 65th Anniversary; now, therefore be it

RESOLVED that the City Council of the City of Elizabeth would like to commend J. Sacco & Sons Meat Market and their family members on their 65th Anniversary and for their impeccable reputation for quality and service and wishes them continued success in all of their future endeavors; and be it

FURTHER RESOLVED that a certified copy of this resolution be spread in full upon the minutes of City Council and a certified copy be sent to J. Sacco & Sons Meat Market.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Lieutenant William Lindsay, 67 of Elizabeth, N.J.; and

WHEREAS, William was employed as a New Jersey State Parole Officer, working in Newark and Jersey City, N.J. and in the Elizabeth District Offices as a sworn Law Enforcement Officer. He was promoted to Sergeant in 2003 and Lieutenant in 2009 before retiring in 2010. Prior to these positions, he was a teacher in Paterson, Passaic, and Haledon, N.J.; and

WHEREAS, he served honorably as a U.S. Army Combat Engineer during the Vietnam War; and

WHEREAS, in 1977 he graduated from William Paterson University, Haledon, N.J. with a Bachelor of Arts Degree in Urban Education and Community Affairs; and

WHEREAS, he was a dedicated New York Mets fan; and

WHEREAS, William is survived by his wife, Roxanne Gee Lindsay of Elizabeth; a brother, Robert Lindsay, and his children, Michael and Kristine and family and loyal friends; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Lieutenant William Lindsay sympathy to his family, relatives and friends at this time of 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 Lieutenant William Lindsay'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 Vito Zacchia, 76; and

WHEREAS, Vito was born in Casamicciola, Ischia, Italy, and came to the United States in 1962 where in lived in Newark before settling in Clifton; and

WHEREAS, Vito was a butcher for thirty-five years with Pastry Pride and later Food Town in Lyndhurst, New Jersey before retiring sixteen years ago; and

WHEREAS, he was a member of the C.F.C.W.. Local 464 of Little Falls and the Branch Brook Senior Citizens of Belleville. Vito served in the Italian Army from 1956 to 1958; and

WHEREAS, he was the loving husband of Catherine (nee Russo); dear father to Salvatore, Arthur, and Maddalena Zacchia; and grandfather of Alyssa, Jason, Vicnent, Makayla and Sabrina; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Vito Zacchia 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 Vito Zacchia'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 Emilia Capoccia; and

WHEREAS, she was born in Lyon, France and was raised in Gallimaro, Italy. She immigrated to the U.S. in 1954 living in Manhattan, NY, the Bronx, NY and Yonkers, NY; and

WHEREAS, Mrs. Capoccia is survived by her three sons, Antonio Franciosa, Rocco, and David, and four grandchildren and four great-grandchildren; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Emilia Capoccia 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 Emilia Capoccia'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 Fiore Minniti, 77; and

WHEREAS, he was born in Lacco, Reggio Calabria, Italy, and came to the United States in 1956. He settled in Newark, then lived in Belleville before moving to Scotch Plains forty years ago; and

WHEREAS, Mr. Minniti owned, operated and was the tailor for Franco Fashions in Elizabeth since 1972; and

WHEREAS, surviving are his beloved wife of fifty-four years, Concetta (Suppa) Minniti, four loving children, his sons, Nicola, Frankie, Angelo, his daughter, Maria Gallo, and his cherished grandchildren; now, therefore, be it

RESOLVED RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Fiore Minniti 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 Fiore Minniti's family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, City Council of the City of Elizabeth has learned of the recent death of Delores "Lolo" Keys Dent; and

WHEREAS, she was born in Elizabeth, N.J., had been a resident of Plainfield for the past eight years; and

WHEREAS, she was employed as a cashier for the Good Deal Super Market in Elizabeth for eighteen years and later she was employed as a teller for the Harmonia and Midlantic Banks; and

WHEREAS, Mrs. Dent also served as a Councilwoman for the City of Elizabeth; and

WHEREAS, she was predeceased by husband, Carl, she is survived by her children, Derek, Carl, Jr., and Carla Dent, Cathy Battle, Diane Clerk, Cindy Scott; and nine grandchildren and twenty grandchildren; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Delores "Lolo" Keys Dent 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 Delores "Lolo" Keys Dent'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 Carmela Chirichiello, 94; and

WHEREAS, she was born in Bisaccia "Avellino", Italy, and came to the City of Elizabeth in 1957 before moving to Rahway, N.J. in 1981; and

WHEREAS, she was a seamstress for fourteen years at the Hilton Factory in Linden, retiring in 1971; and

WHEREAS, Carmela was a member of the Ladies Vallatese Club of Elizabeth; and

WHEREAS, Mrs. Chirichiello was the beloved wife of the late Frank Chirichiello, devoted mother of Grace Monaco, Maria Cacioppo, and a cherished grandmother and great-grandmother; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Carmela Chirichiello 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 Carmela Chirichiello'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 Blaise E. Lapolla, 81; and

WHEREAS, Blaise was born in Elizabeth, N.J. and resided there prior to moving to Cranford, N.J, three years ago; and

WHEREAS, he graduated from Thomas Jefferson High School and attended the University of Detroit; and

WHEREAS, he served in the U.S.Army during the Korean War and was employed by the City of Elizabeth for thirty-seven years, serving as the Director of the Department of Public Works for the last ten years before retiring on January 1, 2003; and

WHEREAS, he was the former proprietor of Lapolla's Tarvern in the Peterstown section of Elizabeth until 1970; and

WHEREAS, he was a member of the Elizabeth City Council and the City of Elizabeth Democratic Committee for many years. In 2001, Mr. Lapollas was selected as "Man of the Year" for the Boys' Towns of Italy; and

WHEREAS, surviving is his wife, Harriet (McCurnin) Lapolla, with whom he celebrated his fifty-eighth wedding anniversary on September 11, 2012; and

WHEREAS, he is also survived by five sons, Michael and his wife, Susan MacMullan, of Westfield, N.J.; Richmond (Rick) of Cranford, N.J.; Blaise, Jr., and his wife, Lynn, of South Plainfield, N.J.; Charles and his wife, Kathleen, of Manalapan,N.J.; Thomas and his wife, Maria, of Union, N.J.; and a daughter, Camille Busichio and her husband, Peter of Cranford, N.J. He was also survived by; seventeen grandchildren, Blaise III, John, Meghan, Richmond (Rick), Cara, Thomas, Kristen, Matthew, Erin, Michael, Danielle, Charles, Michael, Blaise and Maggie Lapolla and Mary, Christine and Angela Busichio; a sister, Rose Migliore of Elizabeth, N.J. and many nieces, nephews, cousins and friends; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Blaise E. Lapolla 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 Blaise E. Lapolla's family.

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

[redacted]

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned with profound regret of the death of Rosalina Maldonado, therefore, be it

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

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof be sent to her 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 Gonzalez declared City Council adjourned at 9:30 p.m.

APPROVED

NELSON GONZALEZ
President of City Council

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