/

PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
October 9, 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; - ~~8~~ 7

ABSENT: Jackus , Grova - 2

ALSO PRESENT: Jorge Estrada, Special Counsel

PUBLIC SPEAKING

Ms. Yolanda Muhammad, 32 Elmwood Place, stated that she was concerned about the drugs in her community. She continued that she would like to know where are the drugs coming from that the young men are selling.

Mr. Sammy Muhammad, 32 Elmwood Place, stated that the police are constantly in their neighborhood chasing the "nickel and dime" teenagers. He questioned where are the drugs coming from.

Mr. Muhammad stated that the debris on Irvington Avenue is still there. He continued that Councilman Mazza allegedly said "ignorant black people." He stated that City Council and the Mayor are not concerned. Mr. Muhammad stated that the City was just awarded $2.8 million dollars from housing and they are stealing the money from the poor and it's a shame.

Council President Gonzalez responded that he has asked the Directors to come in, as well as the Housing Authority, and is waiting for a response.

Ms. Ajeena Hix, 220 Parker Road, formerly of 400 Irvington Avenue, stated that things are being done in stages and why do they have to endure this. She questioned why can't they give the residents "conversion vouchers and let us go." She continued that there are five stages to their plan, but why do the tenants have to endure this. She stated further that she talks and talks and nothing is being done. Ms. Hix believes that they do not have another plan and they have the funds according to Community Affairs.

Ms. Hix stated that the Community Room is closed and there is no where for their children to play. Again, she stated to "let us go" because they have bigger plans for Oakwood.

Ms. Joann McCloud, formerly of 400 Irvington Avenue, now on 200 Parker Road, stated that if CIS was in good standing, they would not be here. She continued that she has sores on her elbows and she would like to have an answer soon because she is very tired.

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.

PUBLIC HEARINGS

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4332**, entitled:

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

This ordinance was adopted on its first reading at the meeting of City Council held on **September 25, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **October 1, 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 1, 2012, from His Honor the Mayor requesting that your Honorable Body consider the appointment of Daniel J. Russell as Temporary Municipal Court Judge on a contractual basis for the period of November 1, 2012 through October 31, 2013, at the rate of $300.00 per session in an amount not to exceed $60,000.00.
Which was received.

By the Clerk:
Letter dated September 17, 2012, from the Business Administrator requesting authorization for the proper City officials to enter into an agreement with Union County College for the use of O'Donnell Dempsey Senior Center and Peterstown Community Center to conduct L.I.F.E. Center Courses to be held on Tuesdays and Thursdays from 1:00 p.m. to 3:00 p.m. and 10:00 a.m. to 12:00 p.m., between September 5th and December 14, 2012.
Which was received.

By the Clerk:
Letter dated September 26, 2012, from the Business Administrator requesting authorization for the proper City officials to apply for and accept a grant award of up to $5,000.00 from the New Jersey Department of Health, Division of Epidemiology, Environmental and Occupational Health: Hepatitis Inoculation Fund.
Which was received.

PETITIONS, COMMUNICATIONS, ETC

By the Clerk:
Letter dated September 27, 2012, from the Business Administrator recommending the award of a contract Weldon Materials, Inc., Weldon Asphalt Co., Weldon Concrete Co. and Fanwood Crushed Stone Co., all Divisions of Weldon Materials, Inc., 141 Central Avenue, Westfield, NJ, to purchase Road Materials for the period of September 17, 2012 through September 17, 2014, at a cost not to exceed $150,000.00.
Which was received.

By the Clerk:
Letter dated September 27, 2012, from the Business Administrator recommending the award of a contract to Maturano Recreation Company, c/o Gametime, P.O. Box 106, Spring Lake, NJ, for the purchase of playground equipment for the Peterstown Community Center at a total cost of $29,691.75.
Which was received.

By the Clerk:
Letter dated September 27, 2012, from the Business Administrator recommending the participation in the State contract with West Publishing Corp., 610 Opperman Drive, Eagan, MN, for the purchase of On-line Legal Research Services for the Law Department and Municipal Court Division for the period of September 25, 2012 to December 31, 2012, at a cost not to exceed $10,000.00.
Which was received.

By the Clerk:
Letter dated September 27, 2012, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Lloyds of London, London, England, through agent-of-record, Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, NJ, for insurance covering the City's foreclosed properties for the period of October 1, 2012 to October 1, 2013, at an annual premium of $1,050.00.
Which was received.

By the Clerk:
Letter dated October 1, 2012, from the Business Administrator recommending the award of a contract to Capozzi Overhead Doors, Inc., 80 Howard Place, Nutley, NJ, to purchase Doors and Gate Systems Service for various departments for the period of July 6, 2012 through July 31, 2014 at a cost not to exceed $120,000.00.
Which was received.

By the Clerk:
Letter dated October 1, 2012, from the Business Administrator requesting an amendment to the resolution adopted July 26, 2011, authorizing the execution of an agreement with Discovery Benefits at the original cost of $1,750.00 per year, specifically to change the coverage term from November 1, 2012 to June 30, 2014, raising the cost not to exceed $2,500.00.
Which was received.

By the Clerk:
Letter dated October 1, 2012, from the Business Administrator recommending the award of a contract to Northeast Auto & Truck Parts, LLC, 976 Broadway, Bayonne, NJ, for the purchase of Automotive Parts & Accessories for the Department of Public Works for the period of September 25, 2012 through October 25, 2012, at a cost not to exceed $50,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated September 28, 2012, from the Second Assistant City Attorney, to be reviewed by your Honorable Body, amending Chapter 5.08.100F entitled "License Transfers-Proximity to Existing Licensed Premises-Exceptions", specifically to relieve residential areas of noise, traffic and loitering, and to allow for transfers of existing licensed premises from residential zones to commercial and manufacturing zones and from within commercial and manufacturing zones.
Which was received.

By the Clerk:
Letter dated October 1, 2012, from the First Assistant City Attorney requesting that your Honorable Body consider introducing an ordinance to authorize a lease agreement with The Parking Authority of the City of Elizabeth, 233 Commerce Place, Elizabeth, NJ, for continued use as an off-street parking facility located at West Grand and Union Street for a minimum term of five (5) years at a fee of $1.00 per year.
Which was received.

By the Clerk:
Letter dated October 2, 2012, from the Chief Financial Officer requesting authorization for the proper City officials to submit an application to the Local Finance Board to participate in the New Jersey Environmental Trust Financing Program for the City's Third Avenue Sewer Modification Project not to exceed $2.6 million dollars.
Which was received.

By the Clerk:
Letter dated October 2, 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 2, 2012, from the Chief Financial Officer requesting City Council consider, in compliance with the SFY 2012 Appropriations Act (Best Practices Requirement), approval of all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:
Letter dated September 28, 2012, from the Director of Planning and Community Development requesting that your Honorable Body consider reallocating the unused funds from the Urban Enterprise Zone to the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau Program to the 2013/2014 Commercial District Security Program Year 18, totaling approximately $149,000.00, due to the Liberty International Initiative not being able to expend the allocated funding on Program Initiatives and an extension is not being recommended, and for your Honorable Body to notify the Elizabeth Development Company (EDC) that the City will not extend the funding for the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau Program and to advise EDC to notify the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau of the decision.
Which was received.

By the Clerk:
Letter dated October 1, 2012, from the Director of Planning and Community Development requesting that your Honorable body introduce an ordinance amending the Durant Street Redevelopment Plan, which will replace the previous version of said plan in its entirety upon Planning Board approval.
Which was received.

~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:
Letter dated October 1, 2012, from the Director of Planning and Community Development requesting authorization to rescind the resolution adopted November 9, 2011, allocating additional CDBG funds to Raphael's Life House/Covenant House for a HVAC system and authorize reallocation of CDBG funds toward the cost of personnel for Raphael's Life House/Covenant House and extending the term to expend this funding to June 30, 2013, in the amount of $10,000.00.
Which was received.

By the Clerk:
Letter dated October 1, 2012, from the Director of Planning and Community Development requesting that your Honorable Body designate and declare 827-907 and 829-961 Newark Avenue as an area in need of redevelopment, which was previously designated; however, due to both the passage of time and recent fire and demolition that has occurred, shall be specified as the Durant Redevelopment Area upon Planning Board approval.
Which was received.

By the Clerk:
Letter dated September 20, 2012, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A which are attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of $5,215.32.
Which was received.

By the Clerk:
Letter dated September 27, 2012, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A which are attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of $9,727.13.
Which was received.

By the Clerk:
Letter dated October 1, 2012, from the Director of Public Works recommending the award of a contract to Gen II Contracting Company, Inc., 395A Millstone Road, Clarksburg, NJ, for the roof replacement at Peterstown Community Center at a cost of $296,630.00.
Which was received.

By the Clerk:
Letter dated October 2, 2012, from the Director of Public Works recommending the award of a contract to Tec-Con Contractors, Inc., 9 Dodd Street, East Orange, NJ, for the Midtown Train Station Area Streetscape at a cost of $234,130.00.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter dated October 9, 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 5, 2012.
Which was received.

By the Clerk:

Minutes: Fair Rental Housing Board meeting held June 20, 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. 4333** , which was seconded by Councilman Cuesta, 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.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4334** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO APPROVE AND ADOPT THE REVISED DURANT REDEVELOPMENT PLAN, AMENDING ORDINANCE NO. 3750.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that public notice will be published fixing Tuesday, October 23, 2012 , at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct public hearings and further consider the foregoing Ordinance Nos. 4333 and 4334 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. 4332** , which was seconded by Councilman Cuesta:

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

WHEREAS, the City of Elizabeth has adopted a Redevelopment Plan which includes properties located at 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372 AND 112); 212-214 THIRD STREET (BLOCK 3, LOT 1023) AND 200-206 THIRD STREET (BLOCK 1, LOT 1026), (the Properties) ELIZABETH, NEW JERSEY and;

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

WHEREAS, E'PORT FAMILY HOMES URBAN RENEWAL, L.P., (the Entity), which is located at 688 Maple Avenue, Elizabeth, New Jersey is the owner of the properties which comprise the site of the proposed Project; and

WHEREAS, the project consist of a scattered site, new construction development that will revitalize the commercial corridor along First and Third Streets, including 52 multifamily units for low income families between 50% and 60% average median income and that the unit mix will include one-, two- and three-bedroom units and will include parking at a 0.0:1 ratio. The proposed Project will include three buildings located on scattered sites, including one five-story building, one four-story building and one two-story building.

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

WHEREAS, the provisions of the New Jersey Long Term Tax Exemption Statute authorize the City to accept an Annual Service Charge in lieu of real property taxes to be paid by the entity; and,

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

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

WHEREAS, the Annual Service Charge is estimated to be approximately $30,680.00; however the Financial Agreement will provide for a payment of the estimated annual service charge or the Minimum Annual Service Charge as provided by statute, whichever is higher; and

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

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

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

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

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

SECTION 1. The Application by the Entity is approved.

SECTION 2. The Payment in Lieu of Taxes (PILOT) Financial Agreement negotiated between the City of Elizabeth and E'Port Family Homes, L.P., for the properties located at 158-168 FIRST STREET (BLOCK 2, LOTS 369, 371, 372 AND 112); 212-214 THIRD STREET (BLOCK 3, LOT 1023) AND 200-206 THIRD STREET (BLOCK 1, LOT 1026), which agreement is on file with the City Clerk, is hereby approved.

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

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **September 25, 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 1, 2012.**

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

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

NEGATIVE: None

Councilwoman Perkins-Auguste **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, on October 3, 2012 the Purchasing Agent received and reviewed the sole bid for the furnishing of Repairs and Painting of Vehicles for the Police Department; and

WHEREAS, the Director of the Police Department and the Chief of Police have expressed a need to Repair and Paint Vehicles for the Police Department as soon as possible. The sole bid received from **KBF Auto, 439 Trinity Place, Elizabeth, NJ 07201,** did not meet the City's statutory requirements due to an omission of the necessary Affidavit of Non-Collusion; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby rejects the sole bid received on October 3, 2012, for the furnishing of Repairs and Painting of Vehicles for the Police Departments and authorizes the Purchasing Agent to re-advertise for same for the reasons stated hereinabove

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Division of Local Government Services in compliance with the SFY 2012 Appropriations Act (P.L. 2011, c.85) requires that the Honorable City Council approve all payments related to accumulated/uncompensated absence benefits; and

WHEREAS, as of October1, 2012, the following employees are entitled to the payment of accumulated/uncompensated absence benefits;

Arleen McDonough $17,815.01

; and

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

Arleen McDonough $17,815.01

; and

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, pursuant to the provisions of N.J.S.A. 2B:12.5-b, the Assignment Judge of the Union County, has consented to the appointment of a Temporary Municipal Court Judge in the City of Elizabeth to handle municipal code violations and any other matters that might be assigned to such Judge; and

WHEREAS, the Mayor has appointed **Daniel J. Russell as Temporary Municipal Court Judge** subject to the advice and consent of the City Council, for a one-year period from November 1, 2012 to October 31, 2013; and

WHEREAS, the Law Department has advised that it will be necessary for the City of Elizabeth to enter into a contract with **Daniel J. Russell, Esq.,** with regard to this appointment, setting forth the terms of compensation which will be at the rate of $300.00 per session not to exceed $60,000.00; and

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

WHEREAS, 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 to be made just before this City incurs a contractual liability on its part;

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Elizabeth does hereby advise and consent the appointment of **Daniel J. Russell, Esq., 201 Shelley Avenue, Elizabeth, New Jersey 07208**, to serve as Temporary Municipal Court Judge for a term commencing November 1, 2012 to October 31, 2013; and be it

FURTHER RESOLVED, by City Council of the City of Elizabeth that the Mayor and City Clerk are hereby authorized to enter into a contract with **Daniel J. Russell, Esq.,** to serve as Temporary Municipal Court Judge for a one-year period from November 1, 2012 through October 31, 2013, at the rate of $300.00 per session, at a cost not to exceed $60,000.00, without further authorization of this Governing Body; and be it

FURTHER RESOLVED that the Purchasing Agent is hereby authorized to place sufficient orders in connection herewith, subject to the requirements of the Local Public Contracts Law and guidelines promulgated thereunder.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to execute a license agreement with **Union County College, 1033 Springfield Avenue, Cranford, New Jersey 07016,** for the use of the O'Donnell Dempsey Senior Center and Peterstown Community Center to conduct L.I.F.E. Center Courses. The Center will be used on Tuesdays and Thursdays from 1:00 p.m. to 3:00 p.m. and 10:00 a.m. to 12:00 p.m. from September 5, 2012 to December 14, 2012; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth authorizes the proper City Officials to execute a license agreement with **Union County College, 1033 Springfield Avenue, Cranford, New Jersey, 07016**, to use O'Donnell Dempsey Senior Center and Peterstown Community Center to conduct L.I.F.E. Center Courses on Tuesdays and Thursdays from 1:00 p.m. to 3:00 p.m. and 10:00 a.m. to 12:00 p.m. from September 25, 2012 to December 14, 2012

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS AWHOLE:

WHEREAS, the Business Administrator has advised that the New Jersey Department of Health, Division of Epidemiology, Environmental and Occupational Health have announced that funds are available from the Hepatitis Inoculation Fund for the reimbursement of costs of Hepatitis B inoculations for certain emergency medical technicians, firefighters and police officers. The funds are a continuation of monies already distributed for this purpose between 1996 and 2011 in accordance with **N.J.A.C.** 8:57B; and

WHEREAS, the City of Elizabeth may be eligible to receive up to $5,000,00 in reimbursement for the cost of protecting its emergency medical technicians, firefighters and police officers against Hepatitis B; and

WHEREAS, authorization is requested for the proper City Officials to apply for and accept a grant award of up to $5,000.00 from the New Jersey Department of Health, Division of Epidemiology, Environmental and Occupational Health, Hepatitis Inoculation Fund; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to apply for and accept a grant award of up to $5,000.00 from the New Jersey Department of Health, Division of Epidemiology, Environmental and Occupational Health, Hepatitis Inoculation Fund for the reimbursement of costs of Hepatitis B inoculations for certain emergency medical technicians, firefighters and police officers.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Department of Public Works the award of a contract to purchase Road Materials at a cost not to exceed $150,000.00 with Weldon Materials, Inc., Weldon Asphalt Co., Weldon Concrete Co. and Fanwood Crushed Stone Co., all Divisions of **Weldon Materials, Inc., 141 Central Avenue, Westfield, New Jersey 07090,** under the Union County Cooperative Purchasing Contract #UCC45-2012 for the period September 17, 2012 through September 17, 2014; and

WHEREAS, the provisions of Chapter 2.92 shall not apply to all contracts entered into with the United States of America, State of New Jersey, County or municipality, or any board, body, officer, agency or authority thereof, and any other state or subdivision thereof; 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; therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to purchase Road Materials at a cost not to exceed $150,000.00 with Weldon Materials, Inc., Weldon Asphalt Co., Weldon Concrete Co. and Fanwood Crushed Stone Co., all Divisions of **Weldon Materials, Inc., 141 Central Avenue, Westfield, New Jersey 07090,** under the Union County Cooperative Purchasing Contract #UCC45-2012 for the period September 17, 2012 through September 17, 2014.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested per the recommendation of the Purchasing Agent the award of a contract to **Maturano Recreation Co., c/o Gametime, PO Box 106, Spring Lake, NJ 07762,** for the purchase of Playground Equipment for the Peterstown Community Center at a total cost of $29,691.75 under State Contract #A81411; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02415, charging the amount of $29,691.75 to Account No. X04-55-978-005, of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #A81411 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby authorizes the award of a contract to **Maturano Recreation Co., c/o Gametime, PO Box 106, Spring Lake, NJ 07762**, for the purchase of Playground Equipment fort the Peterstown Community Center at a total cost of $29,691.75 under State Contract #A81411.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested per the recommendation of the Purchasing Agent the award of a contract to **West Publishing Corp., 610 Opperman Drive, Eagan, MN 55123,** for the purchase of On-line Legal Research Services for the Law Department and Municipal Court Division for a period of time from September 25, 2012 to December 31, 2012 at a cost not to exceed $10,000.00 under State Contract #62040; 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; therefore, be it

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #62040 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby authorizes the award of a contract to **West Publishing Corp., 610 Opperman Drive, Eagan, MN 55123,** for the purchase of On-line Legal Research Services for the Law Department and Municipal Court Division for a period of time from September 25, 2012 to December 31, 2012 at a cost not to exceed $10,000.00 under State Contract #62040.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to provide property insurance covering the City's foreclosed properties; and

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to execute a contract with **Lloyds of London, 1 Lime Street, London, England EC3M7HA (Through their Agent -of-Record, Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, NJ 07632),** for insurance covering the City's foreclosed properties. The term of the policy is October 1, 2012 to October 1, 2013 at an annual premium of $1,050.00; and

WHEREAS, this recommendation is being made with the full concurrence of the members of the Insurance Fund Commission; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02550, charging the amount of $1,050.00 to Account Number 3-01-23-210-INS of the Municipal Budget, is on file in the Office of the City Clerk; and

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

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a agreement with **Lloyds of London, 1 Lime Street, London, England EC3M7HA (Through their Agent-of-Record Otterstedt Agency 540 Sylvan Avenue, Englewood Cliffs, New Jersey 07632)** for property insurance covering the City's foreclosed properties. The term of the policy is October 1, 2012 to October 1, 2013 at an annual premium of $1,050.00.

2. Lloyds of London offers a continuation of the present property Insurance coverage. This is a renewal from last year and will provide continuity of coverage.

3. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance and Banking, in order to qualify to do business within this State.

New Jersey Statute 40A:11-5(m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements thereof.

4. This cannot be described by written specifications because of the special nature of the service as described in paragraph (3) and as specifically exempted from the bidding requirements of **N.J.S.A**. 40A:11-5(m).

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Department of Public Works the award of a contract to **Capozzi Overhead Doors, Inc., 80 Howard Place, Nutley, NJ 07110**, for the purchase of Door and Gate Systems Service for Various Departments at a cost not to exceed $120,000.00 for the period of July 6, 2012 through July 31, 2014 under the Union County Cooperative Purchasing Contract #CK-06-UNION; and

WHEREAS, the provisions of Chapter 2.92 shall not apply to all contracts entered into with the United States of America, State of New Jersey, County or municipality, or any board, body, officer, agency or authority thereof, and any other state or subdivision thereof; 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; therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **Capozzi Overhead Doors, Inc., 80 Howard Place, Nutley, NJ 07110**, for the purchase of Door and Gate Systems Service for Various Departments at a cost not to exceed $120,000.00 for the period of July 6, 2012 through July 31, 2014 under the Union County Cooperative Purchasing Contract #CK-06-UNION.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to amend the resolution adopted on July 26, 2011 authorizing the execution of a contract with **Discovery Benefits, 3216 13th Avenue S., Fargo, ND 58103,** to reflect the following changes: the new coverage term will be effective from November 1, 2012 to June 30, 2014 , the minimum annual service fee of $1,000.00, and the new total cost is not to exceed $2,500.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02551, charging the amount of $2,500.00 to Account No. 3-01-23-220-COB-000, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the resolution adopted July 26, 2011 authorizing the execution of a contract with **Discovery Benefits, 3216 13th Avenue S., Fargo, ND 58103,** be amended to reflect the coverage term to be effective from November 1, 2012 to June 30, 2014, the minimum annual service fee of $1,000.00, and for the new total cost not to exceed $2,500.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Department of Public Works the award of a contract to **Northeast Auto & Truck Parts, LLC, 976 Broadway, Bayonne, NJ 07002,** for the purchase of Automotive Parts & Accessories for the Department of Public Works for the period of September 25, 2012 through October 25, 2012 at a cost not to exceed $50,000.00 under their State Contract #80071;and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #80071 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.**5:34-1.2; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **Northeast Auto & Truck Parts, LLC, 976 Broadway, Bayonne, NJ 07002,** for the purchase of Automotive Parts & Accessories for the Department of Public Works for the period of September 25, 2012 through October 25, 2012 at a cost not to exceed $50,000.00 under their State Contract #80071.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has advised that on April 28, 2009, your Honorable Body adopted a resolution, which authorized UEZ funding to the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau Program (hereinafter known as "LII"), in the amount of $657,030.00 for the period July 1, 2009 through June 30, 2011. On June 28, 2011, your Honorable Body granted an extension allowing the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau Program Funding (809-168) to continue from July 1, 2011 to June 30, 2012; and

WHEREAS, as of September 28, 2012, the LII has not been able to expend the allocated funding on Program initiatives and the Director of Planning and Community Development will not be making the recommendation to extend said program; and

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to reallocate the unused funds from Program #09-168, as set forth above, to the 2013/2014 Commercial District Security Program Year 18. The unused funds will total approximately $149,000.00 (pending payment of all receipts). Due to the State's elimination of Urban Enterprise Zone funding, which funded business district walking police patrols, these funds will enable the City to continue the current level of walking patrol in our thriving business districts; and

WHEREAS, the City of Elizabeth will not extend the funding for Liberty International Initiative and that we should notify the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials not to extend the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau Program Funding (#09-168) to continue from July 1, 2011 to June 30, 2012 and to reallocate the unused funds from Program #09-168, to the 2013/2014 Commercial District Security Program Year 18. The unused funds will total approximately $149,000.00 (pending payment of all receipts; and be it

FURTHER RESOLVED that the proper City Officials by copy of resolution notify the Elizabeth Development Company that the City of Elizabeth will not extend the funding for LLI and advise them that that they should notify the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau, pursuant to their agreement, of the thirty (30) day termination of the contract.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~Jackus, Grove~~, Keenan, Cedeno, Gallman, Mazza, and ~~President Gonzalez~~ - ~~X~~ 6

NEGATIVE: None

EXCUSED: GONZALEZ — 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has advised on November 9, 2011 your Honorable Body authorized a resolution allocating an additional $10,000.00 in Community Development Block Grant (CDBG) funds to **Raphael's Life House/Covenant House.** These funds were to be utilized toward the upgrade of a new HVAC system for their shelter located at 231 Court Street, Elizabeth, New Jersey; and

WHEREAS, Raphael's Life House/Covenant House identified another funding source to upgrade their HVAC system and as a result, did not apply the CDBG funds authorized by the City of Elizabeth. Therefore, it is requested that the aforementioned resolution be rescinded; and

WHEREAS, in order to enable the re-allocation of CDBG funds, in the amount of $10,000.00 toward the cost of personnel for **Raphael's Life House/Covenant House**, it is respectfully requested that a new resolution be authorized. This re-allocation of funding will be applied to offset the salary of a Youth Advisor, who works with young mothers to ensure that their immediate, basic and overall needs are met. The term to expend this CDBG funding will extend from July 1, 2012 until June 30, 2013; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02556, charging the amount of $10,000.00 to Account No. T-22-56-012-PBS-386, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City officials to rescind a resolution adopted November 9, 2011 which authorized allocating an additional $10,000.00 in Community Development Block Grant (CDBG) funds to **Raphael's Life House/Covenant House** due to the fact that **Raphael's Life House/Covenant House** identified another funding source to upgrade their HVAC system and as a result, did not apply the CDBG funds authorized by the City of Elizabeth and be it

FURTHER RESOLVED that the proper City Officials authorizes the re-allocation of CDBG funds, in the amount of $10,000.00 toward the cost of personnel for **Raphael's Life House/Covenant House**, it is respectfully requested that a new resolution be authorized. This re-allocation of funding will be applied to offset the salary of a Youth Advisor, who works with young mothers to ensure that their immediate, basic and overall needs are met. The term to expend this CDBG funding will extend from July 1, 2012 until June 30, 2013.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, by resolution dated August 28, 2012, your Honorable Body authorized and directed the City of Elizabeth Planning Board (the "Planning Board") to conduct a study to determine whether as 827-907 Newark Avenue (Block 11, Lot 847) and 829-961 Newark Avenue (Block 11, Lot 847A), Elizabeth, New Jersey comprise an Area in Need of Redevelopment, in accordance with **N.J.S.A**. 40A:12A-5 and **N.J.S.A**. 40A:12A-6. This area had previously been designated as an area in need of redevelopment; however, due to both the passage of time and recent fire and demolition activities that have occurred on the site(s), this action was again undertaken; and

WHEREAS, the Director of the Department of Planning and Community Development has requested that, in accordance with the investigation undertaken by the Planning Board pursuant to the authorization contained in **N.J.S.A**. 40A:12A-5 and **N.J.S.A**. 40A:12A-6, your Honorable Body adopt a resolution designating and declaring that 827-907 Newark Avenue (Block 11, Lot 847) and 829-961 Newark Avenue (Block 11, Lot 847A), Elizabeth, New Jersey, be designated as an Area in Need of Redevelopment and shall hereinafter be known and specified as the Durant Street Redevelopment Area; now, therefore, be it

RESOLVED that the City Council of Elizabeth authorizes, in accordance with the investigation undertaken by the Planning Board, pursuant to the authorization contained in **N.J.S.A**. 40A:12A-5 and **N.J.S.A**. 40A:12A-6, designates and declares that 827-907 Newark Avenue (Block 11, Lot 847) and 829-961 Newark Avenue (Block 11, Lot 847A), Elizabeth, New Jersey, as an Area in Need of Redevelopment and shall hereinafter be known and specified as the Durant Street Redevelopment Area.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

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

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

Certificate Invoice 09/20/2012 Total Amount: $5,215.32.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

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

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

Certificate Invoice 09/27/2012 Total Amount: $9,727.13.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on September 28, 2012, (9) nine bids for the Roof Replacement at Peterstown Community Center were received and reviewed; and

WHEREAS, the Director of the Department of Public Works has requested the award of a contract to the lowest bidder, **Gen II Contracting Co., Inc., 395A Millstone Road, Clarksburg, New Jersey 08510,** for the Roof Replacement at Peterstown Community Center in the amount of $296,630.00; 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 **Gen II Contracting Co., Inc.;** and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02555, charging the amount of $296,630.00 to Account No. X-04-55-999-X24-000 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to the lowest responsible bidder, **Gen II Contracting Co., Inc., 395A Millstone Road, Clarksburg, New Jersey 08510,** for the Roof Replacement at Peterstown Community Center in the amount of $296,630.00

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, ~~[illegible]~~ ~~[illegible]~~, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - ~~X~~ 7

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on October 2, 2012, five (5) bids for the Midtown Train Station Area Streetscape were received and reviewed; and

WHEREAS, the Director of the Department of Public Works has requested the award of a contract to the lowest bidder, **Tec-Con Contractors, Inc., 9 Dodd Street, East Orange, New Jersey 07017,** for the Midtown Train Station Area Streetscape in the amount of $234,130.00; and

WHEREAS, the City has received a grant in the amount of $300,000.00 from the New Jersey Department of Transportation (NJDOT) Transit Village Program for this project. The streetscape will include portions of Julian Place, Union Street, and West Grand Street and will build upon and extend the streetscape currently under construction on Broad Street. The award is subject to approval of the NJDOT; 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 **Tec-Con Contractors, Inc;** and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 13-02646, charging the amount of $179,830.00 to Account No. G-02-41-868-12 and Certification No. 13-02644, charging the amount of $54,300.00 to Account No. X-04-55-999-X43-002; of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to the lowest responsible bidder, **Tec-Con Contractors, Inc., 9 Dodd Street, East Orange, New Jersey 07017,** for the Midtown Train Station Area Streetscape in the amount of $234,130.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE: [redacted]

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

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

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

ALLIED OIL CO.	**3-01-31-460**	**$**	**15,191.07**
AVAYA INC.	**3-01-31-440**	**$**	**6,007.57**
ELIZABETHTOWN GAS	**3-01-31-446**	**$**	**2,201.86**
FLEETCOR TECHNOLOGIES SERVICE	**3-01-31-460**	**$**	**123,373.60**
HESS CORP.	**3-01-31-430**	**$**	**39,400.89**
NATIONAL TERMINAL, INC.	**3-01-31-460**	**$**	**6,717.00**
NEXTEL COMMUNICATIONS	**3-01-31-440**	**$**	**1,556.00**
NRG BUSINESS SOLUTIONS	**3-01-31-430**	**$**	**2,795.17**
PSE&G	**3-01-31-430**	**$**	**105,156.91**
SOUTH JERSEY ENERGY	**3-01-31-435**	**$**	**537.75**
USA MOBILITY	**3-01-31-440**	**$**	**148.85**
VERIZON	**3-01-31-440**	**$**	**55.46**
VERIZON WIRELESS	**3-01-31-440**	**$**	**32.01**
VERIZON COMMUNICATIONS INC.	**3-01-31-440**	**$**	**154.56**
LANGUAGE LINE SERVICES	**3-01-43-490-MCO-302**	**$**	**1,246.82**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the Elizabeth Chapter of UNICO, the Italian Service Organization, will be honoring Vito Tropeano, Elizabeth Police Detective, as Citizen of the Year for 2012; and

WHEREAS, Detective Tropeano possesses all the qualities that UNICO represents: Unity, Neighborliness, Integrity, Charity and Opportunity. He is the proud son of Italian-American parents; and

WHEREAS, Detective Tropeano has been an employee of the Elizabeth Police Department for over twenty years. During his career, he has received numerous citations. Detective Tropeano played a key role in the safe return of a three-year-old girl to her family and he secured the arrest of her abductor; and

WHEREAS, Detective Tropeano's commitment to helping the citizens of the City of Elizabeth is commendable the positive results of his labors can be seen every day in our City; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth takes pride and congratulates Vito Tropeano for being honored by the Elizabeth Chapter of UNICO as their Citizen of the Year for 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 Vito Tropeano.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Pastor Cornelius Bartley, Sr.;and

WHEREAS, Pastor Bartley was born in Rocky Mount, N.C., to the late Elder Josh and Mother Alice Bartley; and

WHEREAS, he found strength as a teenager preaching in his father's church and that was the beginning of his ministry; and

WHEREAS, he was ordained and began his pastoral ministry under the covering of "Bible Way World Wide," on First Street in Elizabeth, N.J. He then went on to become a pastor at Truth Temple on South 7th Street in Newark, N.J.; and

WHEREAS, Pastor Bartley was offered pastorialship at New Hope Memorial Baptist Church in Elizabeth, N.J. He accepted the offer and was reordained. He was a inspirational pastor at New Hope Memorial Baptist Church for over thirty years; and

WHEREAS, Pastor Bartley retired from the Wakefern Food Corporation after 31 years of dedicated service; and

WHEREAS, he enjoyed his family and congregational gatherings. His passion was to sing, he often would lead the congregation in hymns of worship; and

WHEREAS, Pastor Bartley is survived by his beloved wife, Marie Bartley; seven children, Wilda McGugan, Sharon Bartley, Bobbette Cussac, Dana Logan, Pastor Steffie Bartley, Cornelius Bartley, Jr., and Joseph Bartley; 19 grandchildren and seven great-grandchildren; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Pastor Cornelius Bartley, Sr., to his congregation, 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 the City Council and a certified copy be sent to his 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 8:05 p.m.

APPROVED

NELSON GONZALEZ
President of City Council

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