PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
September 24, 2013
7:30 p.m.

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

Council President William Gallman, Jr., announced that this regular meeting is listed in the "Annual Notice", as defined by Chapter 231, P.L. 1975, and that copies of the "Annual Notice" have been mailed or delivered to the Star Ledger, 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, 2012.

PRESENT: Council Members-at-Large: Patricia Perkins-Auguste, Frank J. Cuesta, Manny Grova, Jr.
Council Members: Carlos L. Torres, 1st Ward; Nelson Gonzalez, 2nd Ward; Joseph Keenan, 3rd Ward; Carlos Cedeno, 4th Ward; Frank O. Mazza, 6th Ward; and President William Gallman, Jr., 5th Ward - 9

ABSENT:

ALSO PRESENT: Raymond T. Bolanowski, First Assistant City Attorney

NOTE: Councilman Cuesta arrived at the meeting at 8:00 p.m., Councilman Grova arrived at 8:10 p.m., and assumed their seats.

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

PUBLIC SPEAKING

Mr. Sammy Muhammad, 32 Elmwood Place, announced that there will be another "Stop the Violence" cookout to be held October 12, 2013, in Jefferson Park and all are invited to attend.

Council President Gallman announced that he received a petition from the residents in the North Avenue area and that he supports their request for speed bumps.

Ms. Amarys Silva, 1120 Hampton Place, stated that the residents submitted a petition regarding parking on Hampton Place. Also, there is speeding.

Council President Gallman responded that the petition was received and he will try to address some of the issues that are in the letter. Also, the residents requested a "Residents Parking Only" and he believes that this cannot be done.

Mr. Joseph Gramiak, 946 Adams Avenue, stated that on May 10, 2013, he was hit by a young fellow driving approximately 71 mph. He continued that he was going to go to the Mayor, but the Mayor has enough on his plate. He stated further that he went to Councilman Gallman and the Councilman was on his porch the next day.

Mr. Gramiak stated that there was an accident on Alina Street and Adams Avenue. He continued that there was another accident on Adams Avenue and Newark Avenue and on Neck Lane. He stated further that speed traps don't mean anything and asked City Council to look into speed bumps.

Ms. Maureen Robinson, 408 Doyle Street, expressed her appreciation for those who have intervened on her behalf. She continued that "I am the master of my fate; I am the captain of my soul." She spoke regarding the racism that she has had to endure. She stated further that "until they walk a mile in my shoes, I don't care what they may think of me."

Ms. Robinson stated African-Americans are "considered to be 3/5ths of a human being." She stated that the Elizabeth Police Department has allegedly shown racism. She stated further that "If you don't stand for something, you will stand for nothing."

Ms. Robinson continued that this is a "racist" country. There has been no follow up from the Police Department and she believes that she is "not receiving equal

protection under the law". She stated further that she has been called a "liar" by the Mayor because he disagreed.

Ms. Robinson queried to how many African-Americans are working in your office or near your office. She stated that she requested a copy of the tape from the area.

Ms. Maria Eccherriera, 321 Westfield Avenue, spoke to the Police Department not responding in a timely manner. She continued that 85% of people with autism will not be able to live alone. She queried if Elizabeth had any homes for autism.

Mr. Bill Salzmann, 941 Monroe Avenue, spoke regarding the petition for speed bumps to be established. They are necessary because of the traffic that is on the highway. He stated further that motorists speed, trying to make the traffic lights. Also, the truck traffic is becoming intolerable.

Mr. Salzmann stated that every six months he is painting and plastering because of the cracks from the vibration of all of the trucks. He continued that he cannot open windows because of the noise. He stated further that motor cycle traffic has increased.

Mr. Salzmann asked City Council to authorize speed bumps and for enforcement of tractor trailer traffic.

Mr. Carlos Trujillo, 116 Fulton Street, stated that he went back to his colleagues regarding mending fences. He continued that the Board of Education charges the City for bus, security and the facility for the S.O.A.R. Program.

Mr. Trujillo stated that the Board of Education requested to use Council Chambers to hold a Town Hall meeting. He continued that the Board members and members of Council could meet with the residents. He stated further that he cannot imagine that the Council Chambers is not available, besides Council meetings what is the room used for? Mr. Trujillo stated that sooner or later someone will have the courage to have this meeting.

Council President Gallman questioned what size of a meeting and what type of meeting it will be?

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

PUBLIC HEARINGS

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4420**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENGINEERING AND CONSTRUCTION COSTS FOR THE ELIZABETH RIVER FLOOD CONTROL PROJECT FOR THE CITY OF ELIZABETH AND APPROPRIATING $7,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $7,125,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **August 27, 2013.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 12, 2013.**

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4421**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE RECONSTRUCTION OF A FIRE HOUSE IN THE CITY OF ELIZABETH AND APPROPRIATING $3,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $3,040,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **August 27, 2013.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 12, 2013.**

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

Mr. Trujillo questioned the cost of the new firehouse.

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

NOTE: Councilman Grova arrived at the meeting at 8:10 p.m.

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4422** , entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY APPROPRIATING THE AMOUNT OF $20,000,000 FOR HURRICANE SANDY RELATED WATERFRONT IMPROVEMENTS IN AND FOR THE CITY OF ELIZABETH AND AUTHORIZING THE ISSUANCE OF $20,000,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **August 27, 2013**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 12, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4423**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF ELIZABETH RIVER TRAIL PHASE 2 IN THE CITY OF ELIZABETH AND APPROPRIATING $1,600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,520,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **August 27, 2013.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 12, 2013.**

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4424**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENVIRONMENTAL ENGINEERING AND REGULATORY COMPLIANCE SERVICES FOR THE CITY OF ELIZABETH AND APPROPRIATING $800,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $760,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **August 27, 2013.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 12, 2013.**

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4425**, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO VERINA CONSULTING GROUP, LLC, 220 DAVIDSON AVENUE, SUITE 105, SOMERSET, NEW JERSEY 08873, ON BEHALF OF CENTRO AMERICANO AUTO RPAIR TO PERFORM ENVIRONMENTAL REMEDIATION WORK TO INSTALL A GROUNDWATER MONITORING WELL IN THE PUBLIC RIGHT-OF-WAY ALONG THE WEST SIDE OF FOURTH AVENUE, BETWEEN THE STREET AND SIDEWALK NEAR 338 SOUTH FIFTH STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 10, 2013**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4426**, entitled:

AN ORDINANCE ESTABLISHING CHAPTER 12.76 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF SOLAR ENERGY STATIONS.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 10, 2013**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4427** , entitled:

AN ORDINANCE TO AUTHORIZE THE RENEWAL OF A LEASE AGREEMENT BETWEEN THE CITY OF ELIZABETH AND THE ELIZABETH BOARD OF EDUCATION, 500 NORTH BROAD STREET, ELIZABETH, NEW JERSEY FOR THE RENTAL AND USE OF THE CITY-OWNED PROPERTY LOCATED AT 630 SOUTH STREET, ELIZABETH, NEW JERSEY, FOR THE CENTER OF INFANT DEVELOPMENT TO PROVIDE DAILY CHILD CARE, HEALTH SERVICES AND COUNSELING TO TEENAGE PARENTS AND THEIR EXTENDED FAMILIES FOR THE PERIOD OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2015, AT A FEE OF ONE DOLLAR ($1.00) PER YEAR.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 10, 2013 .**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 2013.**

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4428** , entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4274, ADOPTED ON JANUARY 10, 2012, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JESSICA BORRELLO, 820 GARDEN STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 10, 2013 .**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 2013.**

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4429** , entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4083, ADOPTED ON NOVEMBER 10, 2009, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR FANNY PANESSO, 328 SOUTH FIFTH STREET, ELIZABETH, NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 10, 2013 .**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4430** , entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JOSE CORTES CEDENO, 601 THIRD AVENUE, ELIZABETH, NEW JERSEY 07202.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 10, 2013 .**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 2013**.

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

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

Council President Gallman announced that the next business in order would be a public hearing on **Ordinance No. 4431**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH APPROVING THE PLAN OF APPROACHES PURSUANT TO N.J.S.A. 32:1-49 FOR THE GOETHALS BRIDGE REPLACEMENT PROJECT

This ordinance was adopted on its first reading at the meeting of City Council held on **September 10, 2013.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 2013.**

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

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

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated September 11, 2013, from the Business Administrator recommending the award of a contract to Firefighter One Limited, 26 Gail Court, Suite 1, Sparta, NJ, for the purchase of a Pass Device System for the Fire Department at a total cost of $323,902.48.
Which was received.

By the Clerk:
Letter dated September 11, 2013, from the Business Administrator recommending the award of a contract to Archonix Systems, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 104, Marlton, NJ, for maintenance and annual license for Police Computer Assisted Records Management and Dispatch System Software XMobile Clients for a period of one year in the amount of $80,298.00.
Which was received.

By the Clerk:
Letter dated September 11, 2013, from the Business Administrator recommending the award of a contract to Culinary Holdings, Inc., D/B/A Culinary Ventures Vending, 1835 Burnet Avenue, Union, NJ, for vending machine services at the Elizabeth Maintenance Facility and other public buildings for the period of August 26, 2013 through August 27, 2015, at no cost to the City in addition to Culinary Holdings, Inc. paying the City a commission under the Union County Cooperative Purchasing Contract.
Which was received.

By the Clerk:
Letter dated September 12, 2013, from the Business Administrator, advising that being satisfied that an emergency did exist, recommends the award of a contract to Big Top Contractors, 31 Elliot Street, Avenel, NJ, for the immediate demolition of 213 Edgar Place, Elizabeth, NJ, in the amount of $28,800.00.
Which was received.

[redacted]

PETITIONS, COMMUNICATIONS, etc.

By the Clerk:

Letter dated September 12, 2013, from the Business Administrator, advising that being satisfied that an emergency did exist, recommends the award of a contract to Doma Construction, Inc., 215 N. 12th Street, Newark, NJ, for the immediate demolition of 1037 William Street, Elizabeth, NJ, in the amount of $12,500.00.
Which was received.

By the Clerk:

Letter dated September 12, 2013, from the Business Administrator requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Department of Health Hepatitis Inoculation Fund to provide reimbursement to municipalities for Hepatitis B inoculation costs for Emergency Medical Technicians, Police Officers and Firefighters not to exceed $5,000.00.
Which was received.

By the Clerk:

Letter dated September 12, 2013, from the Business Administrator requesting that City Council reject the sole bid received on September 5, 2013, for the furnishing of two (2) 2013 Starfire Model S-4 Dual Engine Four Cubic Yard Broom Street Sweeper or equivalent for the Public Works Department and authorize the Purchasing Agent to re-advertise for same.
Which was received.

By the Clerk:

Letter dated September 13, 2013, from the Business Administrator recommending the award of a contract to Ricoh USA, Inc., 19 Chapin Road, P.O. Box 2008, Pine Brook, NJ, for the payment of existing leased copiers under their state contract for the period of August 14, 2013 through August 31, 2014, and with Ricoh Americas Corp., 5 Dedrick Place, West Caldwell, NJ, for new or replacement leases under their state contract for the period of August 14, 2013 through June 30, 2014 in the total amount not to exceed $75,000.00.
Which was received.

By the Clerk:

Letter dated September 16, 2013, from the Business Administrator recommending the award of a contract to EFK Group LLC, 1027 S. Clinton Avenue, Trenton, NJ, to provide the Office of Youth Services program branding, video, website design and development in the total amount of $35,450.00.
Which was received.

By the Clerk:

Letter dated September 17, 2013, from the Business Administrator recommending the award of a contract to Broadview Networks, 800 Westchester Avenue, Rye Brook, NY, to serve as the provider of the City's voice, local and long distance telecom service for the period of October 1, 2013 through September 30, 2016 at a cost not to exceed $150,000.00.
Which was received.

By the Clerk:

Letter dated September 16, 2013, from the City Attorney advising that agreements are required for the replacement of the existing Goethals Bridge that will be done in the City and for adjustments and relocations of water and sewer utility structures for the new bridge and requesting authorization for the proper City officials to execute a Memorandum of Agreement between the Port Authority of New York and New Jersey and the City of Elizabeth concerning the Goethals Bridge Replacement Project; the Master Utility Agreement between the Port Authority of New York and New Jersey, the

City of Elizabeth and E'town Services; the Master Utility Agreement between the Port Authority of New York and New Jersey, the City of Elizabeth and New Jersey American Water Company, Inc., a/k/a Liberty Water Company, with such revisions as may be approved by the Director of Public Works and the City Attorney.
Which Was Referred To Council As A Whole.

By the Clerk:
Letter dated September 10, 2013, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel checks in the amount of $17,600.87, as set forth in the attached schedule and be credited to Miscellaneous Revenue Not Anticipated-Stale Dated Checks Cancelled and should any of these checks be presented for payment at a future date, the City Treasurer be authorized to issue a replacement check in the same amount and to charge the amount to the contingent account.
Which was received.

By the Clerk:
Letter dated September 11, 2013, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel disallowed senior citizen deductions as a result of failure to file an Annual Post Tax Year Statement for the Tax Year 2012 as per delineated lists in the amount of $7,250.00.
Which was received.

By the Clerk:
Letter dated September 17, 2013, from the Chief Financial Officer advising that transfers for the 2013 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated September 17, 2013, from the Chief Financial Officer advising that temporary emergency appropriations for the 2014 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated September 17, 2013, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a bond ordinance in the amount of $20,000,000.00 authorizing the reconstruction of the Elizabeth Waterfront due to Hurricane Sandy which damaged the Veterans Waterfront Park; the Marina; Recreation Pier; Hike, Bike, & Roll Throughway, Marciante-Millet-Jackson Park and the Atalanta Public Access Walkway with a down payment of $1,000,000; City anticipates that FEMA will reimburse the City 90% of all eligible costs.
Which was received.

By the Clerk:
Letter dated September 17, 2013, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a bond ordinance in the amount of $5,000,000.00 authorizing the renovation of the Erxleben Pool with a down payment of $250,000.00.
Which was received.

By the Clerk:
Letter dated September 16, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with the YMCA of Eastern Union County for services rendered at the City of Elizabeth's Financial Planning Day to be held Saturday, October 26, 2013 from 11:00 a.m. to 3:00 p.m. at the Elizabeth Branch located at 135 Madison Avenue at no charge

to the City; however the City will incur the charges for light refreshments and manpower/equipment for the day.
Which was received.

By the Clerk:
Letter dated September 4, 2013, from the Director of Public Works requesting authorization for the proper City officials to execute a Memorandum of Understanding and Indemnification Agreement, to allow the City of Elizabeth to participate in leaf disposal at the Conservation Center at a cost not to exceed $7,000.00.
Which was received.

By the Clerk:
Letter dated September 4, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of $5,076.18.
Which was received.

By the Clerk:
Letter dated September 10, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of $1,664.62.
Which was received.

By the Clerk:
Letter dated September 10, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of $5,162.34.
Which was received.

By the Clerk:
Letter dated September 11, 2013, from the Director of Public Works recommending the award of a contract to Schifano Construction Corp., One Smalley Avenue, P.O. Box 288, Middlesex, NJ, for the milling and resurfacing of Florida Street, Geneva Street and Portions of Third Avenue and South Second Street at a cost of $474,412.00.
Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4432** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR HURRICANE SANDY RELATED WATERFRONT IMPROVEMENTS IN AND FOR THE CITYOF ELIZABETH AND APPROPRIATING $20,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $19,000,000 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, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 9

NEGATIVE: None

Council President Gallman announced that the next business in order would be the introduction of **Ordinance No. 4433** , which was seconded by Councilman Gonzalez, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR RECONSTRUCTION AND IMPROVEMENTS TO ERXLEBAN POOL FACILITY LOCATED IN AND FOR THE CITYOF ELIZABETH AND APPROPRIATING $5,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $4,750,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME.

The Clerk read the foregoing ordinance.

Councilman Gonzalez asked his colleagues for their support. He continued that the pool could not be used due to the needed repairs. He stated further that there are several youth programs held at the Erxleben Recreation Center and it will be a great recreational facility.

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

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

Council President Gallman announced that public notice will be published fixing Tuesday, October 22, 2013 , at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct a public hearing and further consider the foregoing Ordinance Nos. 4432 and 4433, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4420** , which was seconded by Councilman Gonzalez.

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENGINEERING AND CONSTRUCTION COSTS FOR THE ELIZABETH RIVER FLOOD CONTROL PROJECT FOR THE CITY OF ELIZABETH AND APPROPRIATING $7,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $7,125,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of $7,500,000 including the sum of $375,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of $7,125,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the design and Phase 1 construction of the Elizabeth River Flood Control Project, including but not limited to, preliminary inspections and investigations of all flood control structures along the Elizabeth River, soil borings, preparation of construction documents, coordination with U.S. Army Corps of Engineers for review and approval, together with New Jersey Department of Environmental Protection permitting, topographic surveys, design documents and services during construction and replacement of damaged and deteriorated drainage structures and piping, and clearing and regrading, and including all other work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must

include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided

in this bond ordinance by $7,125,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $2,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **August 27, 2013.**

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 **September 12, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4421**, which was seconded by Councilman Gonzalez:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE RECONSTRUCTION OF A FIRE HOUSE IN THE CITY OF ELIZABETH AND APPROPRIATING $3,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $3,040,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of $3,200,000 including the sum of $160,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of $3,040,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the reconstruction of the fire house for Engine Company #6 at 472 Catherine Street, including all other work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or

amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $3,040,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $650,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **August 27, 2013.**

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 **September 12, 2013.**

Council President Gallman stated that this is a much needed firehouse and he would not sit here and allow the firehouse not to be built.

Council President Gallman asked for his colleagues support.

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

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

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4422** , which was seconded by Councilman Gonzalez:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY APPROPRIATING THE AMOUNT OF $20,000,000 FOR HURRICANE SANDY RELATED WATERFRONT IMPROVEMENTS IN AND FOR THE CITY OF ELIZABETH AND AUTHORIZING THE ISSUANCE OF $20,000,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of $20,000,000. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations in accordance with N.J.S.A. 40A:2-7(d), as more fully set forth in Section 6(e) of this bond ordinance.

SECTION 2. In order to finance the improvement or purpose described in Section 3, negotiable bonds are hereby authorized to be issued in the principal amount of $20,000,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the reconstruction of the Elizabeth waterfront due to Hurricane Sandy, including, but not limited to, improvements to Veterans Memorial Waterfront

Park, the Municipal Marina, the Recreation Pier, the Boardwalk Pier, the Hike, Bike and Roll Throughway, Marciante-Millet-Jackson Park, and the Atalanta Public Access Walkway, and including all other work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

SECTION 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

SECTION 5. The capital budget or temporary capital budget, as applicable, of the City of Elizabeth is hereby amended to conform with the provisions of this ordinance to the extent of

any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement that the City of Elizabeth may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the City of Elizabeth as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $20,000,000 and the obligations authorized herein will be within all debt limitations prescribed by that law.

(d) An aggregate amount not exceeding $2,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for

the improvements or purposes.

(e) This bond ordinance authorizes obligations of the City solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the City. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the City or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

(f) The City of Elizabeth reasonably expects to commence acquisition and/or construction of the project described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City of Elizabeth further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

SECTION 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

SECTION 8. The full faith and credit of the City of Elizabeth are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond

ordinance. The obligations shall be direct, unlimited obligations of the City of Elizabeth, and the City of Elizabeth shall be obligated to levy ad valorem taxes upon all the taxable property within the City of Elizabeth for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

SECTION 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing bond ordinance is approved.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **August 27, 2013.**

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 **September 12, 2013.**

Councilman Keenan **MOVED** that the foregoing ordinance be **TABLED,** seconded by Councilman Gonzalez and which was then carried unanimously .

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4423** , which was seconded by Councilman Gonzalez:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF ELIZABETH RIVER TRAIL PHASE 2 IN THE CITY OF ELIZABETH AND APPROPRIATING $1,600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $1,520,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of $1,600,000 including the sum of $80,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of $1,520,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the construction of the Elizabeth River Trail Phase 2, including but not limited to, the construction of a pedestrian/bicycle pathway, lighting, benches, trash receptacles, signage, landscaping, fencing, storm water drainage piping and other inlets and appurtenances for stormwater management, and including all other work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $1,520,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **August 27, 2013.**

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 **September 12, 2013.**

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

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

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4424**, which was seconded by Councilman Gonzalez:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENVIRONMENTAL ENGINEERING AND REGULATORY COMPLIANCE SERVICES FOR THE CITY OF ELIZABETH AND APPROPRIATING $800,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $760,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of $800,000 including the sum of $40,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of $760,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is to provide for engineering, environmental compliance and

remediation and demolition and/or soil removal and related work at various properties owned by the City, including, but not limited to, the City Yard, Elizabeth Annex Building, Fire Headquarters, Mickey Walker Recreation Center and the Elizabeth Marina, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $760,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **August 27, 2013.**

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 **September 12, 2013.**

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

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

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4425** , which was seconded by Councilman Gonzalez:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO VERINA CONSULTING GROUP, LLC, 220 DAVIDSON AVENUE, SUITE 105, SOMERSET, NEW JERSEY 08873, ON BEHALF OF CENTRO AMERICANO AUTO RPAIR TO PERFORM ENVIRONMENTAL REMEDIATION WORK TO INSTALL A GROUNDWATER MONITORING WELL IN THE PUBLIC RIGHT-OF-WAY ALONG THE WEST SIDE OF FOURTH AVENUE, BETWEEN THE STREET AND SIDEWALK NEAR 338 SOUTH FIFTH STREET, ELIZABETH, NEW JERSEY.

WHEREAS, the Division of Engineering has reviewed the communication dated August 7, 2013 with respect to an application for environmental work within the right-of-way of South Fifth Street. **Verina Consulting Group, LLC. 338 South Fifth Street, Elizabeth, New Jersey 08873,** is performing environmental assessment activities related to an automotive service station at 338 South Fifth that requires the installation of one (1) off-site groundwater monitoring well between the street and sidewalk along the west side of Fourth Avenue near South Fifth Street across from the property in question; and

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

SECTION 1. - That an encroachment permit be granted to **Verina Consulting Group, LLC, 220 Davidson Avenue, Suite 105, Somerset, New Jersey 08873,** upon receipt of a permit from the Department of Public Works, Division of Engineering, to perform environmental work consisting of one (1) groundwater monitoring well identified as PMW-4 within the right-of-way along the west side of Fourth Avenue between the street and sidewalk across from the property in question as depicted on a plan entitled "Proposed Monitoring Well Location Map, Centro Americano – Elizabeth, NJ" prepared by **Verina Consulting Group, LLC**, dated August 2013 and which is on file in the Municipal Engineer's Office.

SECTION 2. – **Verina Consulting Group, LLC of 220 Davidson Avenue, Suite 105, Somerset, New Jersey 08873,** has submitted the minimum necessary documentation for review; however, prior to issuance of the Encroachment Permit from this office, a two (2) year maintenance bond in the amount of $1,500.00 and current endorsed insurance policy must be submitted. An insurance policy will need to be provided yearly until the monitoring points are properly abandoned.

SECTION 3. - The Permittee shall provide a liability insurance certificate annually in the aggregate amount determined by the City Engineer for property damage and personal injury naming the City of Elizabeth as an additional insured and giving the City a 30-day notice of cancellation of policy. The insurance certificate submitted indicates the policy expires on October 17, 2014.

SECTION 4. - All ordinances or parts of ordinance inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 5. - 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 6. - 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 **September 10, 2013.**

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 **September 16, 2013.**

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

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

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4426**, which was seconded by Councilman Gonzalez:

AN ORDINANCE ESTABLISHING CHAPTER 12.76 OF THE CODE OF THE CITY OF ELIZABETH ENTITLED CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF SOLAR ENERGY STATIONS.

WHEREAS, the City Council of the City of Elizabeth hereby recognizes the potential benefits of green energy technology to promote economic growth and further the development of renewable energy resources to improve the quality of life by providing more convenience and accessibility to the citizens of the City of Elizabeth; and

WHEREAS, the City Council of the City of Elizabeth further finds that an opportunity to foster the growth of green energy technology has been presented in the form of a proposal to allow solar powered cell phone recharging stations to be constructed and used throughout the City of Elizabeth; and

WHEREAS, the City Council of the City of Elizabeth acknowledges that similar initiatives have been successfully undertaken by the City of New York and that an analogous project in the City of Elizabeth could yield a number of economic and environmental benefits; and

WHEREAS, pursuant to N.J.S.A. 40:52-1(h), the City of Elizabeth is authorized to regulate any installation or encroachment, in, on or over its rights of way; and

WHEREAS, a municipality has a well-settled right to regulate its rights of way pursuant to police power, in order to secure the public health, safety and welfare; now, therefore,

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

SECTION 1. That Section 12.76.010 entitled "Definitions" be established and read as follows:

"Bus stop" means any autobus pick-up/drop-off area designated and established according to Chapter 10.60, et seq. of the code of the City of Elizabeth.

"Crosswalks" means any cut sidewalk or curbline or specific area designed and constructed to facilitate easier access for the public to cross a right-of-way, including corner and midblock crossings.

"Fire hydrant" means an upright pipe with a spout, nozzle or other outlet, located in the right-of-way, for drawing water from a main outlet or pipeline and used in emergency situations to fight fires.

"Handicapped Ramps" means any cut sidewalk or curbline specifically designed and constructed to facilitate easier access for handicapped persons in the public rights-of-way.

"Right-of-way" means any and all areas dedicated for public use, including, but not limited to, a street, roadway, curbline or sidewalk designated and used for vehicular and/or pedestrian traffic.

"SIDs" shall be areas designated by the City of Elizabeth as Special Improvement Districts. For the purpose of this definition, SIDs shall refer specifically to C2, C3, and C4 zones located in Special Improvement Districts.

"Sign/Sign Post" means any identification marker and/or post for mounting such identification marker, including, but not limited to, any warning, advertisement, traffic sign, stop sign, directional placard and street identification located in the public right-of-way.

"Solar Access" means space open to the sun and clear of overhangs or shade including the orientation of streets and lots to the sun so as to permit the use of active and/or passive solar energy systems on individual properties.

"Solar Energy Equipment" shall be solar collectors, controls, energy storage devices, heat pumps, heat exchangers, and other materials, hardware or equipment necessary to the process by which solar radiation is collected, converted into another form of energy, stored, protected from unnecessary dissipation and distributed. Solar systems include solar thermal, photovoltaic and concentrated solar.

"Solar Energy Station" shall include but not be limited to any free-standing, solar powered, station that may be used to charge or power a cell phone or other electric device.

"Traffic Signal" means any municipally installed and owned electric device used for regulating traffic, including, but not limited to, a traffic light, signal or electric box used for powering and/or monitoring such device.

SECTION 2. That Section 12.76.020 entitled "Location Requirements and Permitted uses in zoning districts" be established and read as follows:

A. No solar energy stations shall be installed or operated in the City of Elizabeth except in compliance with this article.

B. No solar energy station shall be located within 1000 feet of another solar energy station, on the same side of the right of way, unless authorized by the City of Elizabeth.

C. To the extent practicable, and in accordance with the law of the City of Elizabeth, the accommodation of solar energy stations and equipment and the protection of access to sunlight for such equipment shall be encouraged in the application of the various review and approval provisions of the Code of the City of Elizabeth.

D. Solar energy stations shall be located in a manner to reasonably minimize blockage for surrounding properties and shading of property and shall match the characteristics of the surrounding area in which it is proposed to be located.

E. No solar energy station that contains advertising, either digital or print, shall be permitted in any residential district, or be placed facing any residential district.

F. Solar energy stations and equipment shall be permitted only if they are determined by the City of Elizabeth not to present any unreasonable safety risks, including, but not limited to, weight load, wind resistance and ingress/egress in the event of fire or other emergency

G. Solar energy stations shall be located upon a sidewalk and within the public rights-of-way, so as not to obstruct the egress or ingress or line of sight of pedestrians and vehicles, and the following regulations shall govern the placement of solar energy stations:

1. On the same side of the right-of-way, no solar energy station shall be located less than fifteen (15) feet from the following:

i. A street corner (measured from the apex of the corner);

ii. Fire hydrant;

iii. Handicapped ramp located on a street corner;

iv. Crosswalk located on a street corner;

v. Midblock handicapped ramp; and

vi. Midblock crosswalk.

2. No solar energy station shall be located less than twelve (12) inches away from the rear face of any curb and shall not obstruct the sidewalk. This provision shall apply to all elevated portions of the structure, including, but not limited to, valance and solar panel.

3. The owner of the solar energy station may be required to temporarily remove and/or relocate the station, at the owner's sole cost, during road or streetscape construction.

4. The City shall not be liable by the owner for any reason, including, but not limited to, snow removal, removal by the City, graffiti and/or vandalism.

SECTION 3. That Section 12.76.030 entitled "Permit application, application fee, issuance, fines, and insurance" be established and read as follows:

A. The Bureau of Construction shall supply to any solar energy station applicant the proper application, which shall adhere to the following conditions:

1. City official solar energy station application (original), plus six photocopies.

2. Any other information as the construction code official shall require showing full compliance with the intent and purpose of this chapter, including any building or electrical approvals necessary pursuant to BOCA, IBC and/or the Uniform Construction Code.

3. Every applicant shall pay to the City of Elizabeth a non-refundable application fee of one hundred and fifty dollars ($150.00) that shall accompany the submission of the proposal to construct a solar energy station within the city.

4. The applicant for any solar energy station must supply one set of photographs of the current location, two store fronts on the left side and two store fronts on the right side of the proposed solar energy station location along with an architectural drawing of the solar energy station.

5. Any person erecting a non-conforming/illegal solar energy station shall receive a summons and has forty eight (48) hours to remove said solar energy station after notification. The city also reserves the right to remove the station at the owner's cost. Nothing herein shall prevent the city from removing the solar energy station at will.

6. No permit shall be issued until the applicant has furnished the Bureau of Construction with satisfactory proof that he/she is insured against injury to persons and damage to property caused by any act or omission of the applicant, his or her agents, employees or subcontractors done in the course of the work to be performed under the permit.

7. Applicant must provide an umbrella policy insuring the operations set forth herein in the amount of, at least, one million dollars ($1,000,000.00). Said policy shall list the City of Elizabeth as an additional insured. Applicant must include the policy in the application submitted herein.

B. Permittee shall pay to the city, on an annual basis, an amount equal to ten percent (10%) of each station's net revenues (hereinafter known as the "right-of-way fee"), which shall be payable within 30 days of the one year anniversary of permit issuance or an annual permit fee of $250.00, whichever is greater. Payment shall be made in a manner, and on such form, as may be prescribed by the City's Chief Financial Officer.

SECTION 4. That Section 12.76.040 entitled "City Council final approval" be established and read as follows:

A. Upon satisfaction of the requirements of this ordinance, the Construction Official shall recommend final approval to the City Council, who shall have final approval to issue this permit.

SECTION 5. That Section 12.76.050 entitled "Structural regulations" be established and read as follows:

A. All solar energy stations and structures of the solar energy station shall be thoroughly and rigidly secured to the ground and shall be repaired and maintained as necessary to keep them secure, safe and free from causing any danger or damage to persons or property.

B. All illuminated solar energy station shall comply with the electrical code of the city, in particular, the requirements of Chapter 15.04 of this code. No solar energy station shall be illuminated between the hours of 2:00 a.m. and 5:00 a.m.

C. No solar energy station or structure of the solar energy station shall be erected or maintained so as to obstruct access to any fire escape, window, door, exit or standpipe, or obstruct passage by either vehicular or pedestrian traffic on any public right-of-way.

D. Solar energy stations and structures of the solar energy station shall be constructed and erected in such a manner as to allow for the effects of high winds and other natural forces, and the Bureau of Construction may require copies of the stress sheets and calculations showing that the solar energy station is adequately designed for dead-load and wind pressure in any direction.

SECTION 6. That Section 12.76.060 entitled "Maintenance and appearance—Aesthetic considerations and Graffiti" be established and read as follows:

All solar energy stations and structures of the solar energy station shall be maintained in a clean and neat-appearing condition, and such maintenance, where applicable, shall include regular cleaning; regular painting and removal of any peeled, chipped or blistered paint; the renewal or replacement, in whole or in part, of any solar energy station or structure of the solar energy station which has been caused to crack, break, peel or otherwise disintegrate or fall apart.

SECTION 7. That Section 12.76.070 entitled "Structural requirements" be established and read as follows:

A. Solar energy stations are permitted only when they meet the following provisions:

1. Lettering no larger than six (6) inches in size.

2. The business name and logo are permitted on the valance section of the solar energy systems, and may not cover more than fifty percent (50%) of the length of the valance.

3. Maximum height of the solar energy system shall be ten (10) feet measured from the ground.

4. Maximum width and depth of the solar energy system shall be three (3) feet, including solar panel.

B. To prevent solar energy stations from being easily overturned, all solar energy stations must be affixed to the sidewalk. Upon removal of any solar energy station, it shall be the duty of the permittee to restore the area to pre-installation conditions.

SECTION 8. That Section 12.76.080 entitled "Advertising" be established and read as follows:

No solar energy station shall contain any advertisement containing any name, word, identification, description, display or illustration of an indecent or immoral nature; nor contain any libelous, defamatory or sacrilegious language; nor urge, advocate or glorify any unlawful activity or conduct.

SECTION 9. That Section 12.76.090 entitled "Removal" be established and read as follows:

A. In the event that a solar energy station does not meet the maintenance/graffiti standards set forth in this chapter, the Bureau of Construction shall immediately notify the owner. The owner shall have seven to fourteen (14) days to remedy the defect. If the owner fails to remedy the defect, the Department of Public Works reserves the right to remove the solar energy station upon request of the building inspector.

B. In the event that a solar energy station is found to be unsafe or unsecure, the Bureau of Construction shall immediately notify the owner. The owner shall have forty-eight (48) hours to remedy the defect. If the owner fails to remedy the defect, the Department of Public Works reserves the right to remove the solar energy station upon request of the building inspector.

C. Nothing herein stated shall prevent the city from removing the solar energy station at will.

SECTION 10. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 11. 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 12. 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 **September 10, 2013.**

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 **September 16, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4427** , which was seconded by Councilman Gonzalez:

AN ORDINANCE TO AUTHORIZE THE RENEWAL OF A LEASE AGREEMENT BETWEEN THE CITY OF ELIZABETH AND THE ELIZABETH BOARD OF EDUCATION, 500 NORTH BROAD STREET, ELIZABETH, NEW JERSEY FOR THE RENTAL AND USE OF THE CITY-OWNED PROPERTY LOCATED AT 630 SOUTH STREET, ELIZABETH, NEW JERSEY, FOR THE CENTER OF INFANT DEVELOPMENT TO PROVIDE DAILY CHILD CARE, HEALTH SERVICES AND COUNSELING TO TEENAGE PARENTS AND THEIR EXTENDED FAMILIES FOR THE PERIOD OF OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2015, AT A FEE OF ONE DOLLAR ($1.00) PER YEAR.

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

SECTION 1. The lease agreement between the City of Elizabeth and the Elizabeth Board of Education is hereby renewed for the rental and use of City owned property located at 630 South Street, Elizabeth, New Jersey for the Center of Infant Development to provide daily child care, health services and counseling to teenage parents and their extended families for the period of October 1, 2013 through September 30, 2015 at a fee of one dollar ($1.00) per year.

SECTION 2. All other provisions of the lease agreement shall remain the same as previously authorized by Ordinance.

SECTION 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 10, 2013.**

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 **September 16, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4428** , which was seconded by Councilman Gonzalez:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4274, ADOPTED ON JANUARY 10, 2012, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JESSICA BORRELLO, 820 GARDEN STREET, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 4274 is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 10, 2013.**

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 **September 16, 2013.**

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

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

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4429** , which was seconded by Councilman Gonzalez:

AN ORDINANCE TO RESCIND ORDINANCE NO. 4083, ADOPTED ON NOVEMBER 10, 2009, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR FANNY PANESSO, 328 SOUTH FIFTH STREET, ELIZABETH, NEW JERSEY.

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

SECTION 1. - Ordinance No. 4083 is hereby rescinded.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 10, 2013.**

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 **September 16, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4430** , which was seconded by Councilman Gonzalez:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JOSE CORTES CEDENO, 601 THIRD AVENUE, ELIZABETH, NEW JERSEY 07202.

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

SECTION 1. - A personalized handicapped parking space for Jose Cortes Cedeno, 601 Third Avenue, Elizabeth, New Jersey, as follows and pursuant to the recommendation of the Elizabeth Police Director: along the West curb line of Amity Street beginning at a point 52' North of Third Avenue. and continuing 22' North thereof.

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **September 10, 2013.**

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 **September 16, 2013.**

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

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

NEGATIVE: None

Council President Gallman announced that the next business in order would be the adoption of **Ordinance No. 4431**, which was seconded by Councilman Gonzalez:

AN ORDINANCE OF THE CITY OF ELIZABETH APPROVING THE PLAN OF APPROACHES PURSUANT TO N.J.S.A. 32:1-49 FOR THE GOETHALS BRIDGE REPLACEMENT PROJECT

WHEREAS, the Port Authority of New York and New Jersey ("Port Authority") was formed by a bi-state compact between New Jersey and New York for the purpose of developing a comprehensive plan for the Port of New York and New Jersey; and

WHEREAS, pursuant to N.J.S.A. 32:1-48 and -49, the Port Authority is "empowered to construct, operate, maintain and own a bridge, with the necessary approaches thereto, across the Arthur Kill, between Elizabeth on the New Jersey side and Howland Hook on the New York side," and to "determine the site, size, type, and method of construction of such bridge and approaches and all matters pertaining thereto"; and

WHEREAS, the Port Authority completed and opened the existing Goethals Bridge ('Existing Bridge") on June 29, 1928, which connected the City of Elizabeth to Staten Island, New York and which currently provides a critical link for the New Jersey Turnpike, New Jersey Route 1, New Jersey Route 9, the Staten Island Expressway (I-278), and the Verrazano-Narrows Bridge; and

WHEREAS, the Existing Bridge is essential to transporting cargo among airports, seaports, and regional markets in the New York and New Jersey metropolitan area; and

WHEREAS, after nearly eighty five years of operation, the Port Authority wishes to replace the Existing Bridge with a replacement Goethals Bridge (the "Replacement Bridge"); and

WHEREAS, this project will consist of the designing, building, financing and maintenance of the Replacement Bridge (collectively, the "Project"); and

WHEREAS, the Project will result in a Replacement Bridge that will have more travel lanes, wider travel lanes, more shoulder capacity, and better pedestrian accessibility;

WHEREAS, the Port Authority has worked diligently with the City to coordinate the proposed Project construction to minimize any unnecessary impact on the City, and the City has reviewed plans entitled Plan of New Jersey Approaches Including Connections with State and Municipal Highways, Drawing Nos. NJ-1 through NJ-3, dated July 23, 2012, last revised July 29, 2013 (the "Plans") attached to this Ordinance as Exhibit A; and

WHEREAS, pursuant to N.J.S.A. 32:1-49, the Port Authority has deemed the approaches including connections with State and municipal highways necessary and convenient and seeks the City of Elizabeth's approval of the "plan of approaches" for the Replacement Bridge.

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

SECTION 1. - As required by N.J.S.A. 32:1-49, the City of Elizabeth does hereby approve the plan of approaches for the Goethals Bridge Replacement Project, as set forth in the Plans attached to this Ordinance as Exhibit A.

SECTION 2 - All applicable City officials are hereby authorized and directed to take such ministerial actions as are necessary to effectuate this ordinance; and

SECTION 3 - A copy of this Ordinance shall, after passage, be filed with the Union County Register, in accordance with N.J.S.A. 40:67-2.

SECTION 4 - All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed.

SECTION 5 - If any portion of this Ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part of portion of this Ordinance.

SECTION 6 - This ordinance shall take effect after final passage, publication and as provided in N.J.S.A. 40:67-1 et seq. as 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 **September 10, 2013.**

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 **September 16, 2013.**

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

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

City of Elizabeth

CAPITAL BUDGET

2014 SFY

Amendment

Whereas, it is desired to amend the Fiscal Year 2014 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 2014 Capital Budget .

[redacted]

NAYS: [redacted]

ABSENT: [redacted]

NEW BUSINESS

6 YEAR CAPITAL PROGRAM FY2014 TO FY2019

PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2014

Local Unit CITY OF ELIZABETH

1	2	3	4	PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2014					6
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	AMOUNTS RESERVED IN PRIOR YEARS	5a FY2014 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
Waterfront Reconstruction (Sandy) - Canceled		(20,000,000.00)						(20,000,000.00)	
Waterfront Reconstruction (Sandy)		20,000,000.00			1,000,000.00			19,000,000.00	
Erxleban Pool Reconstruction		5,000,000.00			250,000.00			4,750,000.00	
Totals - All Projects		5,000,000.00			1,250,000.00			3,750,000.00	

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6 YEAR CAPITAL PROGRAM FY2014 TO FY2019
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Local Unit: CITY OF ELIZABETH

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR					
				5a FY2014	5b FY2015	5c FY2016	5d FY2017	5e FY2018	5f FY2019
Waterfront Reconstruction (Sandy) - Canceled		(20,000,000.00)		(20,000,000.00)					
Waterfront Reconstruction (Sandy)		20,000,000.00		20,000,000.00					
Erxleban Pool Reconstruction		5,000,000.00		5,000,000.00					
Totals - All Projects		5,000,000.00		5,000,000.00					

6 YEAR CAPITAL PROGRAM FY2014 TO FY2019
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 FY2014	3b Future Years	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS-IN-AID AND OTHER FUNDS	7a General	7b Self Liquidating	7c Assessment	7d School
Waterfront Reconstruction (Sandy) - Canceled	(20,000,000.00)	(20,000,000.00)					(20,000,000.00)			
Waterfront Reconstruction (Sandy)	20,000,000.00	20,000,000.00		1,000,000.00			19,000,000.00			
Erxleban Pool Reconstruction	5,000,000.00	5,000,000.00		250,000.00			4,750,000.00			
Totals - All Projects	5,000,000.00	5,000,000.00		1,250,000.00			3,750,000.00			

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 2014 Fiscal Year Capital Budget

Which was adopted by the following vote:

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

NEGATIVE: None

By City Council as a Whole:

WHEREAS an emergent condition has arisen with respect to the need for payment of certain bills before the adoption of the FY 2014 budget , and no adequate provision has been made in the Fiscal Year 2014 appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency resolutions adopted for the Fiscal Year 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total $108,892,336.04, now therefore be it

RESOLVED that in accordance with the provisions of N.J.S. 40A: 4-20

1. An emergency appropriation be and the same is hereby made for and said emergency appropriations will be provided in the FY 2014 budget under the titles of:

Description	Salaries and Wages	Other Expenses
City Council	70,000.00	8,000.00
Alcoholic Beverage Control	40,000.00	2,000.00
City Clerk's Office	75,000.00	2,500.00
Election		
Printing and Publications		50,000.00
Mayor's Office	80,000.00	8,650.00
Law Department	200,000.00	
Business Administrator's Office	100,000.00	(2,300.00)
Division of Budget and Personnel	50,000.00	350.00
Division of Purchasing	80,000.00	75,300.00
Division of Data Processing	190,000.00	258,000.00
Division of Employee Benefits	35,000.00	500.00
Division of EMS Billing and Collection	35,000.00	
Division of Accounts and Controls	225,000.00	23,000.00
Division of Assessments	130,000.00	1,000.00
Annual City Audit		
Single Audit (Grants)		
Audit-Other Funds		
Financial Audit		
Division of Revenue	150,000.00	32,700.00
Director of Neighborhood Services		
Bureau of Construction and Zoning	250,000.00	115,800.00
Bureau of Housing	100,000.00	
Bureau of Rent Control	14,000.00	1,650.00

Description	Salaries and Wages	Other Expenses
Central License	150,000.00	(4,500.00)
Weights and Measures	20,000.00	
Director of Policy and Planning	100,000.00	
Bureau of Community Development	(15,000.00)	(300.00)
Bureau of Elizabeth Home Improvement	98,007.00	
Bureau of Planning and Zoning	30,000.00	
Bureau of Economic Development	20,000.00	
Bureau of Public Info.and Citizens Participation Services	80,000.00	66,000.00
Bureau of Cultural & Heritage Affairs	40,000.00	17,000.00
Human Rights Commission	25,000.00	
Director of Public Works	250,000.00	1,250.00
Bureau of Public Buildings	525,000.00	300,000.00
Bureau of Streets, Parks & Trees	1,500,000.00	200,000.00
Bureau of Equipment & Yard Maintenance	275,000.00	225,000.00
Marina	65,000.00	65,000.00
Bureau of Recycling	30,000.00	5,000.00
Garbage and Trash Removal		2,250,000.00
Street Lighting		500,000.00
Director of Health & Human Services	80,000.00	40,000.00
Division of Health	450,000.00	200,000.00
Division of Human Services	25,000.00	4,600.00
Office of Social Services	15,816.00	10,000.00
Office on Aging	200,000.00	28,000.00
Office on Youth Services	200,000.00	100,000.00
Office of Relocation		
Office of Vital Statistics	60,000.00	4,600.00
Division of Air Pollution		
Public Health Nurses	125,000.00	
Fire Department	7,500,000.00	200,000.00
Uniform Fire Safety Code	130,000.00	20,000.00
Police Department	10,000,000.00	750,000.00
Ambulance Service Bureau	600,000.00	50,000.00
Department of Recreation	700,000.00	85,000.00
Municipal Court	600,000.00	100,000.00
Public Defender		80,000.00
General Insurance		200,000.00
Insurance Fund Reserve		685,000.00
Group Insurance		
Cobra Administration		
Right to Know		
U.S.Conference of Mayors		
N.J. State League of Municipalities		
Electric		350,000.00
Natural Gas		160,000.00
Gasoline		350,000.00
Fuel Oil		65,000.00
Telephone		400,000.00
Postage		75,000.00
Parking Lot Agreement		
Contingent		
Social Security		900,000.00
Consolidated Police & Fire Ret. Fund		
Assessment for CIF/RTK		2,000.00
Unemployment Insurance		50,000.00

Description	Salaries and Wages	Other Expenses
Matching Funds-City Grants		500,000.00
Hospital, Medical,Dental,etc, Insurance		8,000,000.00
Free Public Library		1,000,000.00
Capital Improvement Fund		2,000,000.00
Capital Improvement Fund-Restructuring		
Sub Totals	25,702,823.00	20,610,800.00
Total Municipal Appropriations:		46,313,623.00
GRANTS:		
Sub Total	0.00	0.00
Total Grants		0.00
Debt Service:		
Restructuring Bond Principal		(495,000.00)
Restructuring Bond Interest		(8,662.50)
NJDEP Loan Payment		(0.43)
Total Debt Service		(503,662.93)
Total Appropriations		45,809,960.07

Be it further resolved that one copy of this resolution be filed with the Director of Local Government Services.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract be made to **FIREFIGHTER ONE LIMITED, 26 Gail Court, Suite 1, Sparta, NJ 97871,** for the purchase of a Pass Device System for the Fire Department at a total cost of $323,902.48 under State Contract #A80949; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-01895, charging the amount of $323,902.48 to Account No. G-02-41-780-13, 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 #A80949, requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C.** 5:34-1.2;now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **FIREFIGHTER ONE LIMITED, 26 Gail Court, Suite 1, Sparta, NJ 97871,** for the purchase of a Pass Device System for the Fire Department at a total cost of $323,902.48 under State Contract #A80949.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator recommends and concurs with the request of the Supervisor of Data Processing to award a contract to **Archonix Systems, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, NJ 08053**, for maintenance and annual license for software for Police System for a period of one year, July 1, 2013 to June 30, 2014 in the amount of $80,298.00; and

WHEREAS, in accordance with **N.J.S.A.** 19:44A-20.5 et seq. (Local unit Pay to Play Law), proposals were solicited through a fair and open process; and

WHEREAS, the contract was publicly advertised on the City's website from August 20, 2013 through September 4, 2013. **Archonix** is the sole vendor to request specifications and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-01911 charging the amount of $45,806.00 to Account No. 4-01-20-140-DPR-307 of the Municipal Budget and Certification No. 14-01912 charging the amount of $ 34,492.00 to Account No.14-01912 are on file n the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of contract to **Archonix Systems, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, NJ 08053**, for maintenance and annual license for software for Police System for a period of one year, July 1, 2013 to June 30, 2014 in the amount of $80,298.00.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Public Works an award of a contract to **Culinary Holdings, Inc., D/B/A Culinary Ventures Vending, 1835 Burnet Avenue, Union, New Jersey 07083,** for vending machine services at the Elizabeth Maintenance Facility and other public buildings at no cost to the City in addition to **Culinary Holdings, Inc**, paying the City a commission under the Union County Cooperative Purchasing Contract BA#58-2013 for the period of August 26, 2013 through August 27, 2015; and

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

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

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to award of a contract to **Culinary Holdings, Inc., D/B/A Culinary Ventures Vending, 1835 Burnet Avenue, Union, New Jersey 07083,** for vending machine services at the Elizabeth Maintenance Facility and other public buildings at no cost to the City in addition to **Culinary Holdings, Inc**, paying the City a commission under the Union County Cooperative Purchasing Contract BA#58-2013 for the period of August 26, 2013 through August 27, 2015.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents and accept a grant award in an amount not to exceed $5,000.00 from the N. J. Department of Health, Hepatitis Inoculation Fund, for reimbursement of costs of Hepatitis B inoculations for Emergency Medical Technicians, Police Officers and Firefighters; and

WHEREAS, this initiative provides reimbursement to municipalities of Hepatitis B inoculation costs for certain Emergency Medical Technicians, Police Officers and Firefighters. According to the Department of Health, "...the allowed reimbursable costs will be based on the costs of the Hepatitis B vaccine and the fees of professional medical services of administration of the vaccine...Each municipality may receive up to $5,000 in reimbursement..."; and

WHEREAS, all Emergency Medical Technicians, Police Officers and Firefighters in the City of Elizabeth are required to be inoculate against Hepatitis B; and

WHEREAS, this initiative will enhance the overall health and safety of emergency personnel within the community and, therefore, positively impact their ability to continue providing quality care and services to residents; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to apply and accept a grant award in an amount not to exceed $5,000.00 from the N. J. Department of Health, Hepatitis Inoculation Fund, for reimbursement of costs of Hepatitis B inoculations for Emergency Medical Technicians, Firefighters and Police Officers.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that sealed bids were received and opened by the Purchasing Agent on September 5, 2013 for the furnishing of two (2) 2013 Starfire Model S-4 Dual Engine Four Cubic Yard Broom Street Sweeper or equivalent for the Public Works Department; and

WHEREAS, the sole bid received from **Hall & Fuhs, Inc., DBA HFI Truck Center, 1463 US Highway 22, Mountainside, New Jersey 07092**, does not meet the City's requirements as it did not contain the necessary original document of the Bid Bond. In addition, the bid not contain the necessary Consent of Surety and the Stockholders Disclosure Form; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby rejects the sole bid received on September 5, 2013, for furnishing of two (2) 2013 Starfire Model S-4 Dual Engine Four Cubic Yard Broom Street Sweeper or equivalent for the Department of Public Service and authorizes the Purchasing Agent to readvertise for same.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent request that your Honorable Body adopt a resolution awarding a contract to **RICOH USA, INC., 19 Chapin Road, PO Box 2008, Pine Brook, NJ 07058**, for the payment of existing leased copiers under their state contract #64039 for the period of August 14, 2013 through August 31, 2014 and **RICOH AMERICAS CORP., 5 Dedrick Place, West Caldwell, NJ 07006,** for new or replacement leases under their state contract #82709 for the period of August 14, 2013 through June 30, 2014 in the total amount not to exceed $75,000.00; and

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

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

WHEREAS, the Chief Financial Officer shall execute the Certificate of Availability of Funds at each time an order is placed, and covering the amount of the order, and said execution is to be made just before this City incurs a contractual liability on its part; now, 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 #82709 requiring approval by this Governing Body in accordance with the provisions of **N.J.A.C**.5:34-1.2; now, therefore, be it,

RESOLVED that City Council of the City of Elizabeth hereby awards a contract to **RICOH USA, INC., 19 Chapin Road, PO Box 2008, Pine Brook, NJ 07058**, for the payment of existing leased copiers under their state contract #64039 for the period of August 14, 2013 through August 31, 2014 and **RICOH AMERICAS CORP., 5 Dedrick Place, West Caldwell, NJ 07006,** for new or replacement leases under their state contract #82709 for the period of August 14, 2013 through June 30, 2014 in the total amount not to exceed $75,000.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested authorization and concur with the recommendation per the request of the Director of Planning and Community Development to award a contract to **EFK Group LLC, 1027 S. Clinton Avenue, Trenton, NJ 08611,** to provide the Office of Youth Services program branding, video, website design and development in the total amount of $35,450.00; and

WHEREAS, this contract meets the requirements of the "Non-Fair and Open Process" based on the following criteria:

1. The Purchasing agent certified that the contract has a value in excess of $17,500.00.
2. EFK Group, LLC has filed a disclosure form certifying that no reportable contribution was made during the previous year.
3. The contract contains a requirement prohibiting reportable contributions from being made during the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose Certificate No. 14-01870, charging the amount of $20,000.00 to Account No. 4-01-20-170-PIN-325, and Certificate No. 14-01871, charging the amount of $15,450.00 to Account No.4-01-27-330-OYS-325 of the Municipal Budget are on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the award of a contract to **EFK Group LLC, 1027 S. Clinton Avenue, Trenton, NJ 08611,** to provide the Office of Youth Services program branding, video, website design and development in the total amount of $35,450.00.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that in conjunction with the City's implementation of a new telecom and data system to be provided by **RFP Solutions, Inc.**, which Your Honorable Body authorized by prior resolution, the City wishes to contract with a voice, local and long distance telecom provider; and

WHEREAS, the Business Administrator has requested that your Honorable Body award a three-year contract to **Broadview Networks, 800 Westchester Avenue, Rye Brook, New York 10573,** from October 1, 2013 through September 30, 2016 at a cost not to exceed $150,000.00 per year, unless further authorized by City Council; and

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

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

WHEREAS, this contract is exempt from public bidding as set forth in **N.J.S.A**. 40A:11-5, (f), which states that (an exemption occurs when the contract pertains to) "the supplying of any product or the rendering of any service by a public utility, which is subject to the jurisdiction of the to Board of Public Utilities or the Federal Energy Regulatory Commission or its successor, in accordance with tariffs and schedules of charges made, charged or exacted, filed with the board or commission."; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of contract to **Broadview Networks, 800 Westchester Avenue, Rye Brook, New York 10573,** to serve as a provider of the City's voice, local and long distance telecom service for the period October 1, 2013 through September 30, 2016, at a cost not to exceed $150,000.00.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, certain Payroll checks issued by the City of Elizabeth in previous years remain outstanding and unclaimed; and

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

RESOLVED, that the City Treasurer is hereby authorized to cancel the following checks in the amount of $17,600.87 as set forth in the attached schedule by number and amount and the sum of $17,600.87 be credited to Miscellaneous Revenue Not Anticipated-Stale Dated Checks Cancelled per RCC; and be it

FURTHER RESOLVED, that should any of these checks be presented for payment at a future date, the City Treasurer is hereby authorized to issue a replacement check in the same amount and to charge the amount thereof to the contingent account.

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

Which was adopted by the following vote:

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

BY CITY COUNCIL AS WHOLE:

WHEREAS, the listed senior citizens were disallowed senior citizen deductions in the amount of $250.00 for the Tax Year 2012 as a result of erroneously filing an Annual Post Tax Year Statement indicating that their income exceeded $10,000.00 as set forth below:

Block & Lot	Owner	Property Description		Amount
06-1500	Covino, Nicholas	334 Washington Ave.	$	250.00
08-0111 I	Lopes, Antonio & Maria	1055-1057 Alina St.		250.00
10-1034	Camica, Alexander & Christine	131-133 Hillside Rd.		250.00
13-1534	Campos, Maria D.	500-502 West End St.		250.00
				$1,000.00

WHEREAS, the above mentioned senior citizens have now correctly filed their Annual Post Tax Year Statement for the Tax Year 2012; and

WHEREAS, it remains on the tax records of the City of Elizabeth the sum of $1,000.00 as stated above; now, therefore, be it

RESOLVED, that the Tax Collector is hereby authorized to cancel the said disallowed senior citizen deductions in the amount of $1,000.00 for the Tax Year 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS WHOLE:

WHEREAS, various senior citizens were disallowed senior citizen deductions in the amount of $250.00 for the Tax Year 2012 as a result of failure to file an Annual Post Tax Year Statement as set forth below:

Block & Lot	Owner	Property Description	Amount
02-0422	Palma, Obeias & Teodora	126 Franklin St	250.00
03-0358	Szewczyk, Julia	125-127 Fifth St.	250.00
06-1045	Vasquez, N & M	306 Rosehill Pl	250.00
07-0796	Wilson, Ethel	608-610 Magnolia Ave.	250.00
07-0848	Dieguez, Genaro & Adelfa	625 Marshall St.	250.00
07-0976	Barroso, Juana E.	24-26 Palmer St.	250.00
08-0101	Gavilanez, Mercedes-Plaza, B	943-945 Adams Ave.	250.00
08-0175 C	Collins, Weder	869 Ana St.	250.00
08-0348	Harrington, David	937-939 Bond St.	250.00
08-1360	Popa, Andrei c/o Ion Popa	1037 North Ave.	250.00
09-0036	Green, E & C L	1010-1012 Boudinot Pl.	250.00
09-0180	Devia, Jorge	321 Centre St.	250.00
09-0229	Pfeiffer, D & N	310 Christine St.	250.00
09-0627	Correa, Aura A	847 Fourth Ave.	250.00
09-1422	Tucker, S & J	1054 William St.	250.00
10-1232	Camacho, Peter C & Jagdai	723 Linden Ave.	250.00
11-1084 C-5D	Casero, G & N	704-712 North Broad St.	250.00
11-1378 A	Dellaportas, S, J & F	19 Sayre St.	250.00
12-0277	Cruz, Hector & Gladys	1140 Fairmount Ave.	250.00
12-0920	Ducasse, Marc & Solange	1145 Magnolia Ave.	250.00
12-1286	Flowers, Queen E.	312 Walnut St.	250.00
13-0537	Boada, Carlos & Maria-Boada Ines	20 Gibson Pl.	250.00
13-1586	Carvallo, R & J	241-3 Westfield Ave.	250.00
			$5,750.00

WHEREAS, the above mentioned senior citizens were ill and unable to file said form on time, but have now filed the necessary Annual Post Tax Year Statement for the Tax Year 2012 attached with a doctor's certificate; and

WHEREAS, there remains on the tax records of the City of Elizabeth the sum of $5,750.00 as stated above; now, therefore, be it

RESOLVED, that the Tax Collector is hereby authorized to cancel the said disallowed senior citizen deductions in the amount of $5,750.00 for the Tax Year 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization or the proper City Officials to execute an agreement with the YMCA of Eastern Union County (YMCA-EUC) for services rendered at the City of Elizabeth's Financial Planning Day taking place at the YMCA's Elizabeth Branch located at 135 Madison Avenue, Elizabeth, NJ.. The Financial Planning Day is an initiative through the U.S. Conference of Mayors' Council, Dollar Wise Campaign, to increase financial planning awareness in our City; and

WHEREAS, as financial planning has become essential in these economic hardships, by improving basic personal income money management and planning skills, families can better plan for the future. The underserved population is more likely to lack relationships with financial institutions, this event will offer them access to expert financial planner at no cost; and

WHEREAS, the City of Elizabeth's Financial Planning Day will be held on Saturday, October 26, 2013 from 11:00 a.m. to 3:00 p.m. at the YMCA in Elizabeth. The use of the building will be at no charge for the City. The predicted outcome of attendees for this event is 100-150 City residents. The event will consist of bilingual financial counseling and information workshops for local residents. The YMCA will provide the space and equipment for the workshop; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute an Agreement with YMCA of Eastern Union County, Inc. (YMCA-EUC), 135 Madison Avenue, Elizabeth, NJ for use of the facility for the Financial Planning Day to be held Saturday, October 26, 2013, from 11: a.m. to 3:00 p.m., at no charge to the City of Elizabeth except for light refreshment and manpower/equipment for the event.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has requested authorization for the proper City Officials to execute a Memorandum of Understanding and an Indemnification Agreement with the County of Union, to allow the City of Elizabeth to participate in leaf disposal at the Conversation Center at a cost of $2.00 per yard (loose) and $4.00 per yard (compacted), not to exceed $7,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No 14-02270, charging the amount of $7,000.00 to Account No. 4-01-305-REY-325, of the Municipal Budget is on file in the Office of the City Clerk; and

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute a Memorandum of Understanding and an Indemnification Agreement with the County of Union to allow the City of Elizabeth to participate in leaf disposal at the Conservation Center at a cost of $2.00 per yard (loose) and $4.00 per yard (compacted) at a cost not to exceed $7,000.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Grova,, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 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 9/10/2013 Total Amount $1,664.62.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Grova,, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 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 09/04/2013 Total Amount: $5,076.18.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Keenan, Cedeno, Mazza, and President Gallman - 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 09/10/2013 Total Amount: $5,162.34.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised on September 11, 2013, the Department of Public Works received three (3) bids for the Milling and Resurfacing of Florida Street, Geneva Street and Portions of Third Avenue and South Second Street; and

WHEREAS, the lowest responsible was Top Line Construction Corp., 22 Fifth Street, Somerville, New Jersey 08876, failed to provide a financial statement which is a material defect, therefore, their bid was not responsive and must be rejected; and

WHEREAS, the second lowest responsible bidder was **Schifano Construction Corp., One Smalley Avenue, P. O. Box 288, Middlesex, NJ 08846**, in the amount of $74,412.00; and

WHEREAS, the Director of the Department of Public Works has requested authorization for the award of a contract to **Schifano Construction Corp., One Smalley Avenue, P. O. Box 288, Middlesex, NJ 08846**, for the Milling and Resurfacing of Florida Street, Geneva Street and Portions of Third Avenue and South Second Street at a cost of $474,412.00; and

WHEREAS, the amount of the contract in question exceed $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have complied with by **Schifano Construction Corp**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-02070 charging the amount of $474,412.00 to Account No. X-04-55-999-X45-001 of the Municipal Budget is on file n the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of contract to **Schifano Construction Corp., One Smalley Avenue, P. O. Box 288, Middlesex, NJ 08846**, for the Milling and Resurfacing of Florida Street, Geneva Street and Portions of Third Avenue and South Second Street at a cost of $474,412.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that pursuant to the provisions of **N.J.S.A.** 40A:9-120, City Council of the City of Elizabeth does hereby appoint, **Mr. Richard Reyes, 135 Port Avenue, Elizabeth, New Jersey 07206** to serve as a Constable for a term of three years effective from date of appointment; the said **Mr. Richard Reyes**, having been investigated and approved by the Department of Police; and be it

FURTHER RESOLVED that the said **Mr. Richard Reyes,** 135 Port Avenue, **Elizabeth, New Jersey 07206** shall deliver to the City Clerk within thirty (30) days of the date of appointment a surety bond in the sum of $1,000.00 in order to insure the faithful performance of his duties; that upon failure to deliver such surety bond within the time stated herein, said office shall be deemed vacant, pursuant to **N.J.S.A**. 40A:9-120

Which was adopted by the following vote:

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

NEGATIVE: None

Vote Yes on Ballot Question #2 to Raise New Jersey's Minimum Wage

WHEREAS, the federal minimum wage was signed into law in 1938 by President Franklin Roosevelt, at the height of the Great Depression; and

WHEREAS, the minimum wage increases consumer purchasing power, increases workers' standards of living, reduces poverty, and stimulates the economy; and

WHEREAS, the cost of living in New Jersey continues to rise, yet there has been no state legislative action approved to increase the minimum wage since 2005; and

WHEREAS, unlike New Jersey, 19 other states and the District of Columbia currently maintain a minimum wage above the federal rate of $7.25; and

WHEREAS, 10 states provide for the annual adjustment of their minimum wage to ensure that the real value of the lowest paid workers' wages does not shrink as normal costs of living go up, and four of these states have amended their constitutions to do so; and

WHEREAS, according to New Jersey Policy Perspective, 429,000 workers in New Jersey earn at or near the minimum wage, more than 350,000 are over the age of 20, 250,000 are women, 79,000 are men, 154,000 are Hispanic, 69,000 are Black and 31,000 are Asian; and

WHEREAS, because Governor Chris Christie vetoed a minimum wage increase this year, the state legislature voted to place the question before voters on the November 5, 2013 ballot to raise the minimum wage and adjust it annually according to the consumer price index; and

WHEREAS, by raising the standard of living through a higher minimum wage, New Jersey would likely realize various societal benefits such as improved education, safer communities, greater opportunity for upward mobility, and more financial stability for families; and

WHEREAS, The Chicago Federal Reserve Bank conducted a study in 2011 that estimates that for every dollar increase in the minimum wage, there is $2,800 in new consumer spending by that household the following year, this revenue is injected into the local economy which translates into greater consumer demand for local goods and services, thereby requiring employers to hire additional workers to meet this demand which translates into job creation; and

THERFORE BE IT RESOLVED, that we, the governing body of XX urge the residents of our community to vote yes on Ballot Question #2 to Raise New Jersey's minimum wage from $7.25 to $8.25 an hour and adjust annually based on the Consumer Price Index to reflect the economic conditions facing New Jersey workers and to ensure that New Jersey's minimum wage is not a poverty wage but is a fair wage for workers.

Councilman Cuesta stated that Governor Christie vetoed this legislation and he asked for his colleagues support.

Councilman Grova stated that the Governor is in Trenton making half a million dollars a year and to not support someone who is making $7.00 an hour is shameful.

Councilman Gonzalez echoed his colleagues sentiments.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Daniel M. Shannon v. City of Elizabeth, Docket No.: CP No: 2009-17561**; and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement of this matter at 10% of permanent partial disability of the right leg and 37.5% of the right shoulder, less a credit of 17.5% for the prior injury for a net settlement of $92,182.50; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 14-02203 charging the amount of $92,182,50 to Account No. 04-21-56-249 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby approves and authorizes the settlement of the claim in an amount of $92,182.50 payable to **Daniel M.Shannon, 138 Winding Road, Iselin, New Jersey 07083, and Attorney for the Plaintiff: Daniel Geddes, LLC, 1435 Morris Avenue, Union, New Jersey 07083.**

Which was **DEFEATED** by the following vote:

AFFIRMATIVE:	Keenan, Mazza, President Gallman -	3
NEGATIVE:	Perkins-Auguste, Cuesta, Grova, Torres, Gonzalez, Cedeno -	6

BY CITY COUNCIL AS A WHOLE: [redacted]

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

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

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

ELIZABETHTOWN GAS	**4-01-31-446**	**$**	**3,878.50**
HESS CORP – GAS	**4-01-31-446**	**$**	**16.54**
PSE&G	**4-01-31-430**	**$**	**24,079.18**
VERIZON	**4-01-31-440**	**$**	**204.84**
VERIZON WIRELESS	**4-01-31-440**	**$**	**16,990.84**

Which was adopted by the following vote:

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

NEGATIVE: None

[redacted]

BY COUNCIL AS A WHOLE:

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

ORGANIZATION	AG	B.L.	R.L.	DATE

No Raffle or Bingo were submitted for the Month of September.

Which was adopted by the following vote:

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

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 will be celebrating its 50th Anniversary; and

WHEREAS, the City Council of the City of Elizabeth has learned that the Elizabeth Chapter of UNICO was incorporated in January 1963; and

WHEREAS, UNICO is an American-Italian community service organization; and

WHEREAS, each year Elizabeth UNICO awards scholarships to deserving High School seniors of Italian decent as well as monetary gifts to various community charities in the Elizabeth area; and

WHEREAS, UNICO stands for Unity-Neighborliness-Integrity-Charity-Opportunity; and

RESOLVED that the City Council of the City of Elizabeth expresses its congratulations to the Elizabeth Chapter of UNICO for celebrating its 50th Anniversary and acknowledges with gratitude their commitment to community service for the American-Italian community and wishes them continued success in their future endeavors; and be it

FURTHER RESOLVED that this resolution be spread upon the minutes of the City Council and forwarded to the Elizabeth Chapter of UNICO.

Which was adopted by the following vote:

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

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

Which was carried unanimously.

Whereupon Council President Gallman declared City Council adjourned at

8:40 p.m.

APPROVED

WILLIAM GALLMAN, JR.
President of City Council

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