

PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening  
May 11, 2010  
7:30 p.m.

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

President Frank J. Cuesta 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, Chap. 231, P.L. 1975 on December 23, 2009.

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

ABSENT: Cedenno - 1

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

NOTE: Councilman Grova arrived at the meeting at 7:45 p.m. and assumed his seat.

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



## PUBLIC SPEAKING

Ms. Maria Darassi, 324 Franklin Street, stated that there has been trash literature all over the First Ward. She continued that she understands this is an election year, but the negative correspondence keeps coming. She stated further that her councilman has the right to send his children to any school that he chooses.

She stated that she is not voting for anyone who works for the Board of Education. She continued that she has never seen any of the opponents attend any of the "Stop the Violence" rallies.

Ms. Darassi commended Councilman Mazza for all of his hard work and hopes that he wins.

Ms. Darassi announced that come June 8 to come and support this Council that we have now.

Ms. Alina Carrera, 509 Rahway Avenue, stated that pit bulls are running loose and the owners are not adhering to the City Ordinance and the police are not enforcing this ordinance.

Ms. Carrera explained how she was walking her dog and was attacked by a pit bull. She continued that the pit bull was going after her dog, so she picked her dog up and the pit bull knocked her down and attacked her dog.

Ms. Carrera requested for City Council to address this issue.

Ms. Alina Alvarez, 47 Aberdeen Road, stated that she is concerned over the school budget. She continued that the voters voted NO and it was a wise decision.

She recommended to City Council not to cut teachers, principals, custodians, security guards, etc. Ms. Alvarez suggested to City Council to make cuts in the Administration. She continued that the salary of the Superintendent is more than the Governor of New Jersey. She stated further that Elizabeth is a city of low and moderate income and the Board of Education has over fifty (50) employees who are making over \$100,000.

Ms. Alvarez stated that the Superintendent should not have five Assistant Superintendents. Also, she is disturbed about the \$88,000.00 that the Board of

Education was found guilty of spending on campaigning. She continued that the people have to step up to the plate and respect the taxpayers.

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

**PUBLIC HEARINGS**

NONE.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated April 29, 2010, from the Business Administrator requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Department of Housing and Urban Development, Sustainable Communities Planning Grant Program in an amount not to exceed \$2,000,000.00. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Business Administrator requesting authorization for the proper City officials to submit and execute all necessary documents to the U.S. Department of Housing & Urban Development (HUD); Community Development Block Grant (CDBG) funding in the amount of \$2,270,945.00, an increase of \$187,675.00; Emergency Shelter Grant (ESG) funding \$91,292.00, an increase of \$1,283.00; and Home Program funding in the amount of \$1,501,323.00, a decrease of \$9,372.00. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Business Administrator requesting authorization to renew professional liability insurance with James River Insurance Group, P.O. Box 27648, Richmond, VA, through the agent of record, Hughes-Plumer Associates, covering Engineer and Staff for the period May 10, 2010 to May 10, 2011, at a premium of \$20,249.25. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Business Administrator requesting authorization for the proper City officials to enter into a License Agreement with JG Elizabeth, LLC, Jersey Gardens Mall Management Office, for a Marketing/Promotional Activity of the Elizabeth Idol Contest to be held at Jersey Gardens Mall from 11:00 a.m. to 5:00 p.m. on Saturday, June 12, 2010, at a cost not to exceed \$500.00. Which was received.

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~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:

Letter dated May 4, 2010, from the Business Administrator requesting authorization for His Honor the Mayor to execute an agreement with the Police Mechanics & Electricians Association and Emergency Medical Benevolent Association. Which was received.

By the Clerk:

Letter dated May 4, 2010, from the Business Administrator requesting authorization for His Honor the Mayor to execute an agreement with the Police Superiors Association. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Business Administrator requesting authorization to offer 179 Spring Street and 1161 Anna Street for sale to the adjoining property owner(s) and conduct the sale subject to the attached terms and conditions on June 9, 2010. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Business Administrator requesting that your Honorable Body sell at public auction subject to the attached terms and conditions the following City-owned properties: Vacant Land: 827-831 Pearl Street (Triangle), minimum bid \$25,000.00; 179 Spring Street, minimum bid \$30,000.00; 1161 Anna Street, minimum bid \$50,000.00; Properties with Structures: 601-607 Pennsylvania Avenue (Firehouse), minimum bid \$230,000.00, 217 Third Street, minimum bid \$75,000.00. Which was received.

By the Clerk:

Letter dated May 4, 2010, from the Business Administrator requesting authorization to create a City of Elizabeth Green Team, alternately known as the City of Elizabeth Energy Advisory Board/Green Team, comprised of nine members, authorized to act in an advisory capacity to the Administration upon direction by the appropriate City officials. Which was received.

By the Clerk:

Letter dated April 29, 2010, from the Second Assistant City Attorney requesting your Honorable Body to amend Ordinance No. 3730 to extend the designation and special assessment for the Elizabeth Avenue Special Improvement District for five (5) years until August 31, 2015. Which was received.

By the Clerk:

Letter dated April 16, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/credit an over billing of taxes for the 2009 Tax Year on the property located at 111-113 First Street in the total sum of \$4,031.60. Which was received.

By the Clerk:

Letter dated April 26, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel disallowed senior citizen deductions for the Tax Year 2009, in the amount of \$9,500.00. Which was received.



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~~PETITIONS, COMMUNICATIONS, ETC.~~

By the Clerk:

Letter dated April 27, 2010, from the Department of Planning and Community Development requesting to amend the resolution adopted January 12, 2010, which authorized the execution of documents to provide a Rental Housing Program Loan to MAR Acquisition Group, LLC, specifically to change the name of the developer/owner to 84-86 First Street Housing, LLC, and to amend the number of assisted units from 9 to 4. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute a Third Party Agreement, Deferred Payment Neighborhood Stabilization Program Loan with 205 First Street Urban Renewal Limited Partnership to construct 31 units of affordable housing and one commercial space in the maximum amount of \$500,000.00. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Department of Planning and Community Development requesting to amend the resolution adopted April 8, 2008, which authorized the execution of documents to provide a Rental Housing Program Loan to 205 First Street Urban Renewal LP, specifically to change the terms of the loan from recourse to a non recourse on a Deferred Payment Loan. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Rental Housing Program Deferred Payment (HOME) Loan for the property located at 715 Newark Avenue, Unit 1A, for the acquisition of one unit in the maximum amount of \$50,000.00. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to enter into an agreement with the Elizabeth Development Company, Inc., 288 North Broad Street, Elizabeth, to provide funds to partially defray the costs of the "Take-Control" Empowerment Seminar to be held Thursday, May 6, 2010, at the Stephen Sampson Senior Center for the period May 1, 2010 until April 30, 2011, in the amount of \$6,000.00. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Director of Recreation requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Union County Open Space, Recreation & Historic Preservation Kids Recreation Trust Fund for funding to implement additional recreational equipment at O'Brien Field, Kellogg Park, as well as, the Kids Recreation Trust fund Scholarship Program in an amount not to exceed \$75,000.00. Which was received.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

By the Clerk:

Letter dated April 29, 2010, from the Police Director requesting permission to establish Handicapped/Reserved and Deletions of handicapped parking spaces in front of the following locations: 238 Fulton Street, change name (personalized); 455 First Avenue (personalized), 210 Marshall Street, 2<sup>nd</sup> Floor, change name (personalized); 159 Elm Street change from reserved to personalized, 234 Magnolia Avenue, 247 Marshall Street, 21 Chilton Street, 1019 Olive Street, 324 Livingston Street, 419 Spencer Street, 553 Third Avenue, 537 East Jersey Street, 614 Marshall Street, 914 Olive Street, 655 First Avenue, 1016 Flora Street, 1339 South Second Street; Deletion of handicapped parking spaces: 238 Inslee Place, 701 Van Buren Avenue, 838 Grove Street, 723 Jersey Avenue, 861 Cross Street, 863 Cross Street, 238 Fulton Street, 74 Geneva Street, 336 Spencer Street, 251 Marshall Street, 522 Livingston Street, 812 Murray Street, 519 Jefferson Avenue.  
Which was received.

By the Clerk:

Letter dated April 27, 2010, from the Police Department, requesting to rescind the following personalized handicapped spaces to reserved: Ordinance No. 3640, 634 Grier Avenue; Ordinance 3930, 614 Marshall Street; Ordinance No. 3710, 553 Court Street.  
Which was received.

**REPORTS OF CITY OFFICERS**

By the Clerk:

Letter May 11, 2010, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, May 7, 2010.  
Which was received.

**ORDINANCES ON FIRST READING**

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. **4132**, which was seconded by Councilman Keenan, entitled:

**AN ORDINANCE TO AMEND SECTION 13 OF ORDINANCE NO. 3730, ENTITLED AN ORDINANCE CREATING THE ELIZABETH AVENUE SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF ELIZABETH AND TO EXTEND THE EXPIRATION DATE TO AUGUST 31, 2015.**

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. **4133**, which was seconded by Councilman Keenan, entitled:

**AN ORDINANCE TO AUTHORIZE A PERSONALIZED HANDICAPPED PARKING SPACE FOR ELINA M. BELTRAN, 159 ELM STREET, ELIZABETH, NEW JERSEY**

The Clerk read the foregoing ordinance.

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

- AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Crista~~, Gonzalez, Keenan, ~~...~~, Gallman, Mazza, and President Cuesta **X 7**
- NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. **4134**, which was seconded by Councilman Keenan, entitled:

**AN ORDINANCE TO RESCIND ORDINANCE NO. 3640, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR RONALD R. CIERPIAL, 634 GRIER AVENUE, ELIZABETH, NEW JERSEY.**

The Clerk read the foregoing ordinance.

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

- AFFIRMATIVE: Perkins-Auguste, Jackus, ~~Crista~~, Gonzalez, Keenan, ~~...~~, Gallman, Mazza, and President Cuesta **X 7**
- NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. **4135**, which was seconded by Councilman Keenan, entitled:

**AN ORDINANCE TO RESCIND ORDINANCE NO. 3930, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR LOURDES HERNANDEZ, 614 MARSHALL STREET, ELIZABETH, NEW JERSEY.**

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████, Gonzalez, Keenan, ██████████, Gallman, Mazza, and President Cuesta - **X 7**

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. **4136**, which was seconded by Councilman Keenan, entitled:

**AN ORDINANCE TO RESCIND ORDINANCE NO. 3710, AUTHORIZING THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ESTHER COFIELD, 553 COURT STREET, ELIZABETH, NEW JERSEY.**

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, ██████████, Gonzalez, Keenan, ██████████, Gallman, Mazza, and President Cuesta - **X 7**

NEGATIVE: None

Council President Cuesta announced that public notice will be published fixing Tuesday, May 25, 2010, at 2:00 p.m. (Youth In City Government Day), City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct public hearings and further consider the foregoing Ordinances No. 4132, 4133, 4134, 4135 and 4136, adopted on first reading.

Council President Cuesta announced that the next business in order would be the introduction of Ordinance No. 4137, which was seconded by Councilman Keenan, entitled:

**AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$300,000 FOR REHABILITATION OF PARKS IN AND FOR THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY**

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, ██████████, Gallman, Mazza, and President Cuesta ~~7~~ 8

NEGATIVE: None

NOTE: Councilman Grova arrived at Ord. No. 4137, which changed the vote from 7-0 to 8-0.

Council President Cuesta announced that public notice will be published fixing Wednesday, June 9, 2010, at 7:30 p.m., City Council Chambers, City Hall, Elizabeth, N.J., as the time and place that City Council will conduct public hearings and further consider the foregoing Ordinances No. 4137, adopted on first reading.

**NEW BUSINESS**

Councilman Kennan **MOVED** for a Suspension of the Rules to consider resolutions which do not appear on the agenda, seconded by Council President Cuesta, and

Which was carried unanimously.

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**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Director of the Department of Public Works has requested authorization to accept and sign all appropriate documents and endorse a Memorandum of Agreement with Kinder Morgan Liquids Terminals, LLC; and

**WHEREAS**, the City has received a request dated April 28, 2010 from Kinder Morgan Liquids Terminals, LLC, for the City of Elizabeth to consider accepting a donation of \$146,820.00 toward the City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project; and

**WHEREAS**, Kinder Morgan Liquids Terminals, LLC recently submitted a Waterfront Development Permit application to the New Jersey Department of Environmental Protection (NJDEP) for work to be performed at the waterfront at Kinder Morgan's Carteret Terminal in Carteret, New Jersey. The terminal is located along the Arthur Kill. The project involves repairs and rehabilitation of the facility's docks; and

**WHEREAS**, applicants for Waterfront Development Permits are required by Administrative Code to provide onsite public access to their waterfront property. For facilities such as the Kinder Morgan's Carteret Terminal, where it is not possible to allow onsite public access due to safety and security concerns, the law allows the facility to fund nearby community waterfront public access improvement in lieu of providing access directly on the facility's property; and

**WHEREAS**, to satisfy the Administrative Code requirements, Kinder Morgan Liquids Terminals, LLC proposes to provide the City of Elizabeth with \$146,820.00 towards the City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project (NJDEP Permit No. 2004-05-0006.3-WFD090001) subject to NJDEP approval; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth authorizes the proper City Officials to accept and sign all appropriate documents and to endorse a Memorandum of Agreement with Kinder Morgan Liquids Terminals, LLC for the purposes setforth hereinabove; and be it

**FURTHER RESOLVED** that the City of Elizabeth expresses its thanks and gratitude to Kinder Morgan Liquids Terminals, LLC, for a donation of \$146,820.00 toward the City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project .

Which was adopted by the following vote:

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

**NEGATIVE:** None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Director of the Department of Public Works has requested authorization to accept and sign all appropriate documents and endorse a Memorandum of Agreement with Kinder Morgan Liquids Terminals, LLC; and

**WHEREAS**, the City has received a request dated April 28, 2010 from Kinder Morgan Liquids Terminals, LLC, for the City of Elizabeth to consider accepting a donation of \$61, 800.00 toward the City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project; and

**WHEREAS**, Kinder Morgan Liquids Terminals, LLC recently submitted a Waterfront Development Permit application to the New Jersey Department of Environmental Protection (NJDEP) for work to be performed at the waterfront at Kinder Morgan's Perth Amboy Terminal in Perth Amboy, New Jersey. The terminal is located along the Arthur Kill. The project involves facility-wide dredging and maintenance of the facility's waterfront structures; and

**WHEREAS**, applicants for Waterfront Development Permits are required by Administrative Code to provide onsite public access to their waterfront property. For facilities such as the Kinder Morgan's Perth Amboy Terminal, where it is not possible to allow onsite public access due to safety and security concerns, the law allows the facility to fund nearby community waterfront public access improvement in lieu of providing access directly on the facility's property; and

**WHEREAS**, to satisfy the Administrative Code requirements, Kinder Morgan Liquids Terminals, LLC proposes to provide the City of Elizabeth with \$61,800.00 towards the City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project (NJDEP Permit No. 2004-05-0006.3-WFD090001) subject to NJDEP approval; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth authorizes the proper City Officials to accept and sign all appropriate documents and to endorse a Memorandum of Agreement with Kinder Morgan Liquids Terminals, LLC for the purposes setforth hereinabove; and be it

**FURTHER RESOLVED** that the City of Elizabeth expresses its thanks and gratitude to Kinder Morgan Liquids Terminals, LLC, for a donation of \$61, 800.00 toward the City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project .

Which was adopted by the following vote:

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

**NEGATIVE:** None

The regular order of business was then resumed.

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~~11-28~~

By City Council as a Whole:

Resolved, that the following transfers be made in the FY2010 Municipal Budget appropriations:

Account	Type	Description	Amount
		<b>Transfers To:</b>	
20-110-CCO-100	Salaries & Wages	City Council	6,250.00
20-120-ABC-100	Salaries & Wages	ABC	3,100.00
20-150-LAW-100	Salaries & Wages	Law Department	86,710.00
20-170-PZO-100	Salaries & Wages	Planning & Zoning	43,600.00
22-195-CLI-100	Salaries & Wages	Central Licensing Bureau	2,900.00
25-265-FIR-100	Salaries & Wages	UFS	7,400.00
26-300-SPT-100	Salaries & Wages	Streets, Parks and Trees	65,000.00
26-305-REY-100	Salaries & Wages	Recycling Department	7,700.00
27-330-DHH-100	Salaries & Wages	Director of Health	3,500.00
27-330-oss-100	Salaries & Wages	Office on Social Services	122,000.00
20-130-ACC-325	Operating Expenses	Accounts & Control	5,000.00
26-290-EYM-307	Operating Expenses	Bureau of Equipment, Yards, Maint.	100,000.00
36-474	Operating Expenses	Consolidated Police & Fire Pension	15,789.75
31-440	Operating Expenses	Telephone	70,000.00
26-310-BLD-308	Operating Expenses	Public Buildings	150,000.00
		<b>TOTAL</b>	<b>688,949.75</b>

Account	Type	Description	Amount
		<b>Transfers From:</b>	
20-100-ADM-100	Salaries & Wages	Administration	40,000.00
22-195-DNS-100	Salaries & Wages	Director of Neighbor Services	90,000.00
20-170-DPC-100	Salaries & Wages	Director of Planning & Comm Devel	50,000.00
25-265-FIR-100	Salaries & Wages	Fire Department	188,160.00
26-290-EYM-100	Salaries & Wages	Bureau of Equipment, Yards, Maint	100,000.00
27-330-HEA-100	Salaries & Wages	Health Department	200,000.00
20-130-ACC-100	Salaries & Wages	Accounts & Control	5,000.00
36-475	Operating Expenses	Police & Fire Pensions	15,789.75
		<b>TOTAL</b>	<b>688,949.75</b>

Which was adopted by the following vote:

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

NEGATIVE: None

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**City of Elizabeth**  
**CAPITAL BUDGET**  
 2010 SFY  
 Amendment

Whereas, It is desired to amend the Fiscal Year 2010 Capital Budget,

Now, Therefore Be It Resolved, by the City Council of the City of Elizabeth, County of Union, that the following projects constitute an amendment to the capital budget section of the Fiscal Year 2010 Capital Budget .

~~Roll Call~~  
 AYES

( )  
 ( )  
 ( )  
 ( )  
 ( )  
 ( )  
 ( )

~~NAVS~~  
 ABSENT

**6 YEAR CAPITAL PROGRAM FY2010 TO FY2015**  
**PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2010**

Local Unit \_\_\_\_\_ CITY OF ELIZABETH

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2010					6 TO BE FUNDED IN FUTURE YEARS	
				5a FY2009 BUDGET APPROPRIATION	5b CAPITAL IMPROVEMENT FUND	5c Capital Surplus	5d Grants-In-Aid and Other Funds	5e Debt Authorized		
Rehabilitation of Parks		300,000.00				300,000.00				
<b>Totals - All Projects</b>		300,000.00				300,000.00				

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6 YEAR CAPITAL PROGRAM FY2010 TO FY2015  
 ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Local Unit \_\_\_\_\_ CITY OF ELIZABETH

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR						
				5a FY2010	5b FY2011	5c FY2012	5d FY2013	5e FY2014	5f FY2015	
Rehabilitation of Parks		300,000.00		300,000.00						
Totals - All Projects		300,000.00		300,000.00						

6 YEAR CAPITAL PROGRAM FY2010 TO FY2015  
 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit \_\_\_\_\_ CITY OF ELIZABETH

1 PROJECT TITLE	2 ESTIMATED TOTAL COST	3 BUDGET APPROPRIATION		4 CAPITAL IMPROVEMENT FUND	5 CAPITAL SURPLUS	6 GRANTS-IN-AID AND OTHER FUNDS	7 BONDS AND NOTES				
		3a Current Year FY2010	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School	
Rehabilitation of Parks	300,000.00				300,000.00						
Totals - All Projects	300,000.00				300,000.00						

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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 2010 Fiscal Year Capital Budget

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova,  
Gonzalez, Keenan, ██████████, Gallman, Mazza,  
and President Cuesta - **18**

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of \$137,658.62 for the Clean Communities Grant 2010FY awarded by the State of New Jersey Department of Environmental Protection and wishes to amend its FY2010 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2010 in the total sum of \$137,658.62 which is now available as a revenue from:

Miscellaneous Revenues  
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-set with Appropriations:

State of New Jersey Department of Environmental Protection  
Clean Communities Grant 2010FY \$137,658.62

BE IT FURTHER RESOLVED, that a like sum of \$137,658.62 be and the same is hereby appropriated under the caption of :

General Appropriations

(a) Operations Excluded from 3 1/2 % Caps  
State and Federal Programs Offset by Revenues:

State of New Jersey Department of Environmental Protection  
Clean Communities Grant 2010FY  
Other Expenses \$137,658.62

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

Which was adopted by the following vote:

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

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of \$82,881.00 for the Municipal Alliance Grant 2010 awarded by the Department of Human Services, County of Union, New Jersey and wishes to amend its FY2010 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2010 in the total sum of \$82,881.00 which is now available as a revenue from:

Miscellaneous Revenues  
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-set with Appropriations:

Department of Human Services, County of Union, NJ.	
Municipal Alliance Grant 2010	\$82,881.00

BE IT FURTHER RESOLVED, that a like sum of \$82,881.00 be and the same is hereby appropriated under the caption of :

General Appropriations

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

Department of Human Services, County of Union, NJ	
Municipal Alliance Grant 2010	
Other Expenses	\$82,881.00
Local Share	\$20,720.00

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

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, a contract between the City of Elizabeth and the Police Mechanics and Electricians Association, is to be executed with the approval of the City Council of the City of Elizabeth; and

**WHEREAS**, the agreement calls for a four (4) year contract from July 1, 2009 through June 30, 2013. A zero percent (0%) for July 1, 2009, two percent (2%) for July 1, 2010, two percent for July 1, 2011, and three percent (3%) for July 1, 2012 as well as other terms and conditions setforth in the attachment to the Business Administrator's letter dated May 4, 2010; now, therefore, be it

**RESOLVED** that City Council of the City of Elizabeth hereby authorizes the Mayor and City Clerk to execute a contract with the Police Mechanics and Electricians Association, for the purpose of satisfying the provisions of Chapter 303 of the Laws of 1968 as amended and supplemented concerning the terms and conditions of employment of the employees covered in said contract for the period of January 1, 2009, through July 30, 2013, and said employees are represented by the Police Mechanics and Electricians Association, as their sole exclusive bargaining agent.

Which was adopted by the following vote:

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

**NEGATIVE:** None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, a contract between the City of Elizabeth and the Emergency Medical Benevolent Association is to be executed with the approval of the City Council of the City of Elizabeth; and

**WHEREAS**, each agreement calls for a four-year contract from July 1, 2009 through June 30, 2013. A zero percent (0%) for July 1, 2009, two percent (2%) for July 1, 2010, two percent (2%) for July 1, 2011, and three percent (3%) for July 1, 2012 as well as other terms and conditions setforth in the attachment to the Business Administrator's letter dated May 4, 2010; now, therefore, be it

**RESOLVED** that City Council of the City of Elizabeth hereby authorizes the Mayor and City Clerk to execute a contract with the Emergency Medical Benevolent Association, for the period from July 1, 2009 to June 30, 2013 for purpose of satisfying the provisions of Chapter 303 of the Laws of 1968, as amended and supplemented, concerning the terms and conditions of employment of the employees covered in said contract and said employees are represented by the Emergency Medical Benevolent Association, as their sole exclusive bargaining agent.

Which was adopted by the following vote:

**AFFIRMATIVE:** Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, ~~Costa~~, Gallman, Mazza, and President Cuesta - 18

**NEGATIVE:** None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, a contract between the City of Elizabeth and the Elizabeth Police Superior Officers Association is to be executed with the approval of the City Council of the City of Elizabeth

**WHEREAS**, the agreement calls for a five (5) year contract from July 1, 2009 through June 30, 2014. A zero percent (0%) for July 1, 2009, three and one quarter percent (3.25%) for July 1, 2010, three and one quarter percent (3.25%) for July 1, 2011, three and one quarter percent (3.25%) for July 1, 2012, and three and one quarter percent (3.25%) for July 1, 2013 and an increase in the differential for Sergeants, Lieutenants and Captains starting in Fiscal Year 2012 as well as other terms and conditions setforth in the attachment to the Business Administrator's letter dated May 4, 2010; now, therefore, be it

**RESOLVED** that City Council of the City of Elizabeth hereby authorizes the Mayor and City Clerk to execute a contract with the Elizabeth Police Superior Officers Association for the purpose of satisfying the provisions of Chapter 303 of the Laws of 1968, as amended and supplemented, concerning the terms and conditions of employment of the employees covered in said contract for a five (5) year contract from July 1, 2009 through June 30, 2014, and said employees are represented by the Elizabeth Police Superior Officers Association as their sole exclusive bargaining agent.

Which was adopted by the following vote:

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

**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 for the Department of Housing and Urban Development – Sustainable Communities Planning Grant for an amount not to exceed \$2,000,000.00; and

**WHEREAS**, the Department of Housing and Urban Development, Department of Transportation, and the Environmental Protection Agency “have formed the Partnership of Sustainable Communities...to work together to coordinate policies and programs in support of six Livability Principles including: competitiveness; support existing communities; coordinate policies and leverage investment; as well as value communities and neighborhoods.” The overall Program focuses upon the creation of livable communities by advancing regional planning that integrates housing, transportation, environmental decisions, and economic development elements; and

**WHEREAS**, with this anticipated funding, the City of Elizabeth will work with Community Investment Strategies (CIS), who are the owners of the Oakwood Plaza site, to develop a comprehensive plan, which incorporates the abovementioned elements in the removal of the current Oakwood Plaza complex and ultimate redevelopment of the site and surrounding area, in order to create new, safe and quality affordable housing; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth authorizes the proper City Officials to apply, accept and sign all appropriate documents for the Department of Housing and Urban Development – Sustainable Communities Planning grant for an amount not to exceed \$2,000,000.00.

Which was adopted by the following vote:

**AFFIRMATIVE:** Perkins-Auguste, Jackus, Grova,  
Gonzalez, Keenan, ~~Casta~~, Galiman, Mazza,  
and President Cuesta **18**

**NEGATIVE:** None

**BY CITY COUNCIL AS A WHOLE:**

**BE IT RESOLVED** that City owned property, not needed for public use, located at 179 Spring Street, Block 8 - Lot 1628 is hereby authorized to be offered for sale to the contiguous property owners pursuant to the provisions of N.J.S.A. 40A:12-13 (b) at a minimum price of \$30,000.00.

Which was adopted by the following vote:

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

**NEGATIVE:** None

**BY CITY COUNCIL AS A WHOLE:**

**BE IT RESOLVED** that City owned property, not needed for public use, located at 1161 Anna Street, Block 12 - Lot 167 is hereby authorized to be offered for sale to the contiguous property owners pursuant to the provisions of N.J.S.A. 40A:12-13 (b) at a minimum price of \$50,000.00.

Which was adopted by the following vote:

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

**NEGATIVE:** None

Councilman Jackus read a press release stating that the City of Elizabeth's credit Rating has moved to an A1 status. He continued that no other large city has obtained this success. He stated further that Moody's expects the City of Elizabeth to continue these trends.

Councilman Jackus commended the Mayor, former Business Administrators and the current Business Administrator and although this City Council has been "hammered" on many occasions, the City of Elizabeth has moved into an A1 rating.

Councilman Grova echoed the sentiments of his colleague and stated that the Administration and this City Council has always looked to save and will be able to save the taxpayers money.

Councilman Keenan announced that City Council was elected to be the "financial watchdog" and to achieve an A1 rating is great.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the City Council of the City of Elizabeth desires to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues and to comply with the requirements of the Sustainable NJ program, the City Council wishes to establish a Green Team Advisory Committee (GTA), which will also serve the City as an Energy Advisory Board; and

WHEREAS, the City of Elizabeth has recently conducted energy audits of municipal facilities and operations; and

WHEREAS, the City of Elizabeth has begun the process of making its operations greener, and more environmentally friendly, beginning with energy audits of the City's facilities to pinpoint the most effective ways to reduce energy consumption; and

WHEREAS, solar power, energy audits and retrofits, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the City moves to do their share to lessen the environmental impact of its operations; now, therefore, be it

RESOLVED that the initial Bylaws for the Green Team Advisory Board or Energy Advisory Board are hereby established, which Bylaws shall be on file in the Office of the City Clerk of the city of Elizabeth; now, be it

FURTHER RESOLVED that the City Council of the City of Elizabeth hereby establishes a Green Team Advisory Committee, which shall also serve as an Energy Advisory Board, consisting of nine (9) members who shall be residents or employees of the City of Elizabeth, appointed annually, but whose initial term of appointment shall be through December 31, 2011; now, therefore, be it

FURTHER RESOLVED that the following persons are hereby appointed to the Green Team Advisory Committee or Energy Advisory Board:

- Donald Travisano - Law Department;
- Phyllis Reich - Department of Planning and Community Dvlp;
- Pat Vella - Department of Public Works;
- Gordon Haas - Greater Elizabeth Chamber of Commerce;
- Victor Vinegra - City Planner;
- Jonathan Phillips- Groundwork Elizabeth;
- Cindy Coppa - Citizen Representative;
- Connie Pires Sanchez - Citizen Representative; and
- Chris Zehnder -Citizen Representative.

FURTHER RESOLVED that the City of Elizabeth Green Team Advisory Committee or Energy Advisory Board will advise the municipal administration and City Council on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound through research and evaluation. The Committee will act upon direction from the appropriate City officials; and be it

FURTHER RESOLVED the City of Elizabeth has been the recipient of several million dollars in Energy Efficiency and Conservation Block Grant ("EECBG") funds. These funds are currently being used to create a revolving loan program, a sub-grant to a non-profit, installation of solar panels and an energy audit and retrofit of municipal buildings. The creation of an Energy Advisory Board to monitor these activities and to recommend additional green activities throughout the City is a requirement under the EECBG.

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Acting Director of the Department of Planning & Community Development has requested authorization to prepare and submit to the U.S. Department of Housing & Urban Development (HUD) a Five (5) Year Consolidated Plan for Fiscal Year 2010 to 2014 to include applications for funding and an Action Plan for CDBG, HOME Program, and ESG, and that proper City Officials be authorized to execute all necessary documents; and

**WHEREAS**, as required by HUD, on July 15, 2010 the City of Elizabeth will submit the Five (5) Year Consolidated Plan for Fiscal Year 2010 to 2014; and

**WHEREAS**, this Consolidated Plan incorporates into a single submission the applications for funding for the following formula grant allocations for Funding Year 2010: CDBG: \$2,270,945.00, an increase of \$187,675.00; Home Program: \$1,501,323.00, a decrease of \$9,372.00; and ESG: \$91,292.00, an increase of \$1,283.00. The goals of the U.S. Department of Housing and Urban Development (HUD): Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and Home Program are to provide decent housing, provide suitable living environment and to expand economic opportunities; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth authorizes the Acting Director of the Department of Planning & Community Development and the proper City Officials to prepare and submit to the U.S. Department of Housing and Urban Development (HUD) a Five (5) Year Consolidated Plan for Fiscal Year 2010 to 2014 to include applications for funding and an Action Plan for CDBG, HOME Program, and ESG, and that proper City Officials be authorized to execute all necessary documents

Which was adopted by the following vote:

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

**NEGATIVE:** None

BY CITY COUNCIL AS A WHOLE:

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WHEREAS, the Director of the Department of Recreation has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for the Kids Recreation Trust Program for an amount not to exceed \$75,000.00; and

WHEREAS, the Union County Kids Recreation Trust is allocating funding, in matching grant dollars, of the expansion of recreational opportunities in the municipality; allowing each municipality the opportunity to address their specific need. The Union County Kids Recreation Trust offers recreation opportunities including funding for scholarships pertaining to summer recreational activities and playground equipment; and

WHEREAS, with this anticipated funding, the Department of Recreation will implement additional recreational equipment, including, but not limited to swings, at O'Brien Field and Kellogg Park to increase and enhance recreational experiences throughout the City of Elizabeth; and

WHEREAS, with anticipated grant funds, the City of Elizabeth will participate in the Kids Recreation Trust Fund Scholarship Program and has requested applications of interest from 501c3 non-profit organizations throughout the City of Elizabeth; and

WHEREAS, through this grant opportunity, scholarship funding will be provided to defray and/or provide complete enrollment costs for Elizabeth children, who intend on participating in the 2011 summer camp activities associated with Elizabeth non-profit organizations; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to submit an application for a Union County Open Space Recreation and Historic Preservation Kids Recreation Trust Fund Scholarship Program Grant in an amount not to exceed \$75,000.00; and be it

FURTHER RESOLVED that the Mayor, the City Clerk and other proper City Officials are hereby authorized to execute any and all documents pertaining to this grant.

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Business Administrator has requested authorization for the proper City Officials to enter into a License Agreement with **JG Elizabeth, LLC., Jersey Gardens – Mall Management Office, 651 Kapkowski Road, Elizabeth, New Jersey 07202** for a Marketing/Promotional Activity of the Elizabeth Idol Contest to be held at Jersey Gardens Mall from 11:00 a.m. to 5:00 p.m. on Saturday, June 12, 2010 at a cost not to exceed \$500.00; and

**WHEREAS**, all statutory requirements have been met; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 10-08916, charging the amount of \$500.00 to Account No. 10-01-20-170-CHA-302, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth authorizes the proper City officials to enter into a License Agreement with **JG Elizabeth, LLC., Jersey Gardens – Mall Management Office, 651 Kapkowski Road, Elizabeth, New Jersey 07202** for a Marketing/Promotional Activity of the Elizabeth Idol Contest to be held at Jersey Gardens Mall from 11:00 a.m. to 5:00 p.m. on Saturday, June 12, 2010 at a cost not to exceed \$500.00.

Which was adopted by the following vote:

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

**NEGATIVE:** None

By City Council as a Whole:

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

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-85, that the City Council of the City of Elizabeth hereby requests the Director of the Division of Local Finance to make the following corrections in the 2010 Municipal Budget;

<u>Name of Appropriation</u>	<u>From</u>	<u>To</u>
Matching Funds-City's Share	\$449,059.00	\$428,339.00
<b>Local Share:</b>		
Municipal Alliance Grant 2010	-0-	\$20,720.00

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

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

Which was adopted by the following vote:

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

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Business Administrator has advised that the Elizabeth Development Company has requested and has been granted Community Development Block Grant Funds 2009-2010; and

**WHEREAS**, the Business Administrator has requested authorization for the proper City officials to enter into an agreement with the **ELIZABETH DEVELOPMENT COMPANY, (EDC) 288 North Broad Street, Elizabeth, New Jersey 07207** to provide funds to defray the costs of the "Take-Control" Empowerment Seminar at the Stephen Sampson Senior Center for the period May 1, 2010 to April 30, 2010 in the amount of \$6,000.00; and

**WHEREAS**, funds will be used to partially defray the costs of the "Take-Control" Empowerment Seminar to be held on Thursday, May 6, 2010 at the Stephan Sampson Senior Center, 800 Anna Street, Elizabeth, New Jersey; and

**WHEREAS**, two workshops, "Take Control of Your Finances" and "Control Your Destiny: Life-long Learning and Continuing Education Strategies" will be offered. The seminars will help residents develop self-improvement skills by linking them to local businesses, City agencies and non-profit organizations that offer job training, education, and financial literacy opportunities; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 10-08970, charging the amount of \$6,000.00 to Account No. T-22-56-010-PBS-186, of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

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

1. The Mayor and the Municipal Clerk are hereby authorized to enter into an agreement with the **ELIZABETH DEVELOPMENT COMPANY, 288 North Broad Street, Elizabeth, New Jersey 07207** to provide funds to defray the costs of the "Take-Control" Empowerment Seminar at the Stephen Sampson Senior Center for the period May 1, 2010 to April 30, 2010 in the amount of \$6,000.00.

2. Quotations were not solicited because of the unique nature of the Contractor as a non-profit agency within the City of Elizabeth that has the resources to implement event planning, media services, financial management and job training strategies.
3. The nature of the service provided requires the capacity to development and implement event planning, media services, financial management and job training strategies.
4. The performance of the service cannot be reasonably described by written specifications, as other agencies do not have the resources to provide analogous scope of services for this project.
5. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova,  
Gonzalez, Keenan, [REDACTED], Gallman, Mazza,  
and President Cuesta **AB**

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Acting Director of the Department of Planning and Community Development, the Business Administrator, has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to provide a Discharge of the City's Mortgage on the property, **421 Doyle Street, Elizabeth, New Jersey**; and

**WHEREAS**, the City of Elizabeth holds a mortgage, on premises located at the **421 Doyle Street, Elizabeth, New Jersey 07202**; and

**WHEREAS**, this is a SRD-20 mortgage given on October 14, 2004 in the original amount of \$7,998.00 as security for a forgivable loan after five (5) years, Recorded Date: October 20, 2004, Book No. M10889 Pages No. 0001-0005, 0% interest Deferred Payment Forgivable Loan; and

**WHEREAS**, the Acting Director advises that the owner has fulfilled its obligations under the terms of the mortgage loan and sold this unit to a qualified purchaser and is therefore entitled to a Discharge of Mortgage; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to discharge said mortgage on the above unit.

Which was adopted by the following vote:

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

**NEGATIVE:** None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Acting Director of the Department of Planning and Community Development, the Business Administrator, has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to provide a Discharge of the City's Mortgage on the property, **738 Morses Mill Road, Elizabeth, New Jersey**; and

**WHEREAS**, the City of Elizabeth holds a mortgage, on the premises located at **738 Morses Mill Road, Elizabeth, New Jersey 07202**; and

**WHEREAS**, this is a SRD-17 Owner Occupied Housing Program mortgage given on June 15, 2004 in the original amount of \$1,833.00 as security for a forgivable loan after five (5) years, Recorded Date: September 27, 2004, Book No. MI0857 Pages No. 0911-0915, 0% interest Deferred Payment Forgivable Loan; and

**WHEREAS**, the Acting Director advises that the owner has fulfilled its obligations under the terms of the mortgage loan and sold this unit to a qualified purchaser and is therefore entitled to a Discharge of Mortgage; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to discharge said mortgage on the above unit.

Which was adopted by the following vote:

**AFFIRMATIVE:** Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, [REDACTED], Gallman, Mazza, and President Cuesta  8

**NEGATIVE:** None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Acting Director of the Department of Planning and Community Development, the Business Administrator, has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to provide a Discharge of the City's Mortgage on the property, 1042 Applegate Avenue, Elizabeth, New Jersey; and

WHEREAS, the City of Elizabeth holds a mortgage, on the premises located at 1042 Applegate Avenue, Elizabeth, New Jersey 07202; and

WHEREAS, this is a HOP-52 Home First Time Homebuyer's Program mortgage given on November 3, 1998 in the original amount of \$20,000.00 as security for a forgivable loan after ten (10) years, Recorded Date: November 6, 1998, Book No. MB6931 Pages No. 0084-0091, 0% interest Deferred Payment Forgivable Loan; and

WHEREAS, the Acting Director advises that the owner has fulfilled its obligations under the terms of the mortgage loan and sold this unit to a qualified purchaser and is therefore entitled to a Discharge of Mortgage; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to discharge said mortgage on the above unit.

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Acting Director of the Department of Planning and Community Development, the Business Administrator has requested authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Rental Housing Program Deferred Payment Loan to **COMMUNITY ACCESS INSTITUTE, INC., 80 West Grand Street, Elizabeth, New Jersey 07202** on property located at the 715 Newark Avenue, Unit 1A, Elizabeth, New Jersey; and

**WHEREAS**, the purpose is for the acquisition of one (1) unit, with a maximum amount of assistance to be provided of \$50,000.00 (HOME) with a total project cost of \$148,950.00 with terms that the loan be forgiven after a period of affordability of twenty (20) years; and

**WHEREAS**, the amount of the contract in question exceeds \$50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **COMMUNITY ACCESS INSTITUTE, INC.**; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification No 10-08969 charging the amount of \$50,000.00 to Account Number 0-29-56-813 HOME of the Municipal Budget and is on file in the Office of the City Clerk; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth authorizes a Rental Program Deferred Payment Loan in the amount of \$148,950.00 in HOME forgiven after twenty (20) years repayable after a twenty (20) year period of affordability to **COMMUNITY ACCESS INSTITUTE, INC., 80 West Grand Street, Elizabeth, New Jersey 07202** on property located at the 715 Newark Avenue, Unit 1A, Elizabeth, New Jersey; and be it

**FURTHER RESOLVED** the funds shall not be released until after execution of the necessary and appropriate documents including the Environmental Review Process and, upon receipt of the Release of Funds, if necessary, and any other requirements deemed necessary by the U.S. Department of Housing & Urban Development in accordance with HOME Program rules and regulations.

Which was adopted by the following vote:

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

**NEGATIVE:** None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the Business Administrator has requested authorization for the proper City Officials to execute a Third Party Agreement with the developer, as required under the terms and conditions of the executed State Neighborhood Stabilization Program (NSP) grant agreement #2009-02293-1746-00 received on September 30, 2009 and

**WHEREAS**, the applicant/owner is **205 First Street Urban Renewal, L.P., 688 Maple Avenue, Elizabeth, New Jersey 07201** for the property at **205-215 First Street** to construct thirty-one units of affordable housing (30 senior units and one (1) for the Super) and one (1) commercial space; and

**WHEREAS**, the maximum amount of assistance to be provided by the Deferred Payment Neighborhood Stabilization Program Loan in the amount of \$500,000.00. The total project cost is \$8,901,351.00; and

**WHEREAS**, the terms of the loan are to be forgiven after a twenty-five (25) year period of affordability; and

**WHEREAS**, the amount of the contract in question exceeds \$50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **205 First Street Urban Renewal, L.P.**; and

**WHEREAS**, a Certificate of Availability of Funds cannot be issued because this grant operates on a reimbursement basis; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute a Third Party Agreement with **205 First Street Urban Renewal, L.P., 688 Maple Avenue, Elizabeth, New Jersey 07201** with the developer, as required under the terms and conditions of the executed State Neighborhood Stabilization Program (NSP) grant agreement #2009-02293-1746-00 received on September 30, 2009 for the loan amount of \$500,000.00. The total project cost of \$8,901,351.00; and be it

**FURTHER RESOLVED** actual execution of the Third Party Agreement will only occur upon satisfactory completion of the Environmental Review Process, upon receipt of the Release of Funds, if necessary, and any other requirements deemed necessary by the U.S. Department of Housing & Urban Development and the New Jersey Department of Community Affairs, in accordance with the NSP Program rules and regulations. The Mortgages, Notes and Deed Restrictions will be executed by the State and not the City of Elizabeth.

Which was adopted by the following vote:

**AFFIRMATIVE:** Perkins-Auguste, Jackus, Grova,  
Gonzalez, Keenan, ██████████ Galliman, Mazza,  
and President Cuesta - **A 8**

**NEGATIVE:** None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Acting Director of the Department of Planning and Community Development, the Business Administrator has requested a resolution to amend a resolution adopted January 12, 2010 in order to change the name to the developer/owner from **MAR Acquisition Group, LLC** to **84-86 First Street Housing, LLC** and amend the number of assisted units from nine (9) to four (4); and

WHEREAS, this new single purpose entity was created to comply with the requirements of the NJ Housing & Mortgage Finance Agency (NJHMFA), which is providing a permanent mortgage for this project; and

WHEREAS, the Principals of this new corporation are the same as the existing Principals of **MAR Acquisition Group, LLC**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 10-08913, charging the amount of \$195,000.00 to Account No. 0-29-56-813, 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 amends the resolution adopted January 12, 2010 which authorized a **Rental Housing Program Loan** to **MAR Acquisition Group, LLC** to change the name of the developer/owner to **84-86 First Street Housing, LLC** and amend the number of assisted units from nine (9) to four (4).

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Acting Director of the Department of Planning and Community Development, the Business Administrator has requested an amendment of a resolution adopted April 8, 2008 to change the terms of the loan from recourse to non-recourse on Deferred Payment Loan to **205 First Street Urban Renewal, L.P.**; and

WHEREAS, this is a requirement for Low Income Housing Tax Credits; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby amends the resolution adopted April 8, 2008 which authorized a **Rental HOUSING Program loan to 205 First Street Urban Renewal, LP**, specifically to change the terms of the loan from a recourse to a non-recourse loan as required for Low Income Housing Tax Credits.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, ~~\_\_\_\_\_~~ Gallman, Mazza, and President Cuesta **18**

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to renew the Professional Liability Insurance Policy covering the City Engineer & Staff; and

WHEREAS, the Business Administrator has recommended that a policy of insurance be obtained from James River Insurance Group, P. O. Box 27648, Richmond, Virginia 23261-7648, through the agent of record, Hughes-Plumer Associates, covering professional liability for the City Engineer and staff. The term of the policy is May 10, 2010 to May 10, 2011 for the annual premium of \$20,249.25; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 10-08915 charging the amount of \$20,249.25 to Account Number 10-01-23-210-INS of the Municipal Budget, is on file in the Office the City Clerk; and

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

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

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

1. The proper City officials are hereby authorized and directed to obtain a policy of insurance from James River Insurance Group, P. O. Box 27648, Richmond, Virginia 23261-7648, through the agent of record, Hughes-Plumer Associates, covering professional liability for the City Engineer and staff. The term of the policy is May 10, 2010 to May 10, 2011 for the annual premium of \$20,249.25. This request is being made with the full concurrence of the Insurance Fund Commission
2. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance and Banking in order to qualify to do business within this state. New Jersey Statute 40A:11-5 (m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements of Extraordinary, Unspecifiable Service in accordance with the requirements thereof.
3. This cannot be described by written specifications because of the special nature of the services as described in paragraph one (2).
4. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, Burnett Investors Urban Renewal, Inc. are the owner(s) of property located at 111-13 First St (Tax Account #2 - 308), and

**WHEREAS**, the property assessment included an assessment amount of \$20,000 for a cellular antenna on the roof, and

**WHEREAS**, the cellular antenna was already being taxed through another Tax Account (2 - 308-T01), and

**WHEREAS**, the property assessment should have been reduced by \$20,000 for 2009 Tax year, and

**WHEREAS**, this resulted in an over billing for 2009 Tax Year in the amount of \$4,031.60, now, therefore, be it

**RESOLVED**, that the Tax Collector be authorized to cancel/credit the total sum of \$4,031.60. This amount represents an over billing of taxes for the 2009 Tax Year.

Which was adopted by the following vote:

**AFFIRMATIVE:** Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, ~~C...~~, Gallman, Mazza, and President Cuesta **✓ 8**

**NEGATIVE:** None

BY CITY COUNCIL AS WHOLE:

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WHEREAS, various senior citizens were disallowed senior citizen deductions in the amount of \$250.00 for the Tax Year 2009 as a result of failure to file a Post-Tax Year Statement as set forth below:

<u>Block &amp; Lot</u>	<u>Owner</u>	<u>Property Description</u>	<u>Amount</u>
02-0139	Taylor, Lucille	71 E. Jersey St.	250.00
03-0269	Worlds, Ethel M.	551 E. Jersey St.	250.00
04-0825	Ventura, Maria	939 Kenneth Ave.	250.00
05-0527	Lorenzo, Estervina	413 First Ave.	250.00
06-0196	Abulevsko, B Yanchitis	Pt. 21-23 Chilton St.	250.00
07-0764	Castillo, Dula	711-713 Livingston St.	250.00
07-0913	Gilmore, Theodore	123 Miller St.	250.00
08-0054	Delva, Aubry & Mary	647 Adams Ave.	250.00
08-0577	Daniels, Freddie B.	1035 Emma St.	250.00
08-0578	Knowles, Nelson	1037 Emma St.	250.00
08-1071	Camera, R & N.	1015 Julia St.	250.00
09-0730	Biebelberg, C & M	320 High St.	250.00
09-0738	Melillo, Louis	416-418 High St.	250.00
09-0790	Yalakidis, J N & C	134 Jefferson Ave.	250.00
09-0822	Goncalves, Maria H.	336-340 John St.	250.00
09-1027	Engelhardt, John	126-128 Reid St.	250.00
09-1031	Ramirez, Ligia & Gomez	136 Reid Street	250.00
09-1392	Sneed, Arino	1077 William St.	250.00
10-0300	Bala, Walter & Edna	708-710 Cleveland Ave.	250.00
10-0609	Rodriguez, Charles	850-852 Emerson Ave.	250.00
10-2000	Pisano, Rose & Pellegrino	113 17 Summit Rd.	250.00
11-0390	Campos, M & A.	1378 80 Garfield Pl.	250.00
11-0462	Jean, Joseph	556 60 Irvington Ave.	250.00
12-0651	Sullivan, Luz, E.	634-636 Madison Ave.	250.00
12-1414	Rivero, H & L	943 45 Walnut St.	250.00
13-0122	Mina, Argemiro & Onilda	405-407 Chilton St.	250.00
			<u>\$ 6,500.00</u>

WHEREAS, the above mentioned senior citizens were ill and unable to file said form on time, but have now filed the necessary Post-Tax Year Statement for the Tax Year 2009 attached with a doctor's certificate; and

WHEREAS, there remains on the tax records of the City of Elizabeth the sum of \$6,500.00 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 \$6,500.00 for the Tax Year 2009.

Which was adopted by the following vote:

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

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 2009 as a result of erroneously filing a Post Tax Year Statement indicating that their income exceeded \$10,000.00 as set forth below:

<u>Block &amp; Lot</u>	<u>Owner</u>	<u>Property Description</u>	<u>Amount</u>
03-0505	Jackson, Bertha	455 Fulton St	250.00
05-0440	Bolano, Ana Maria	217 Erie St.	250.00
05-0790	Marte, A & M.	17 Geneva St.	250.00
07-0976	Barroso, Juana E.	24-26 Palmer St.	250.00
09-0816	Colletti, M & G.	324 John St.	250.00
10-2092	Bravo, Sylvia & Carmen	23-25 Vista Ave.	250.00
11-0363	Gonzalez, Maritn & Olga	1360-1362 Fremont Pl.	250.00
12-0053	Norman, Ruby & Stokes S.	644-646 Adams Ave.	250.00
			<u>\$ 2,000.00</u>

**WHEREAS**, the above mentioned senior citizens have now correctly filed their Annual Post-Tax Year Statement for the Tax Year 2009; and

**WHEREAS**, there remains on the tax records of the City of Elizabeth the sum of \$2,000.00 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 \$2,000.00 for the Tax Year 2009.

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the listed senior citizens were disallowed senior citizen deductions in the amount of \$250.00 for the Tax Year 2009 as a result of non-filing a Post Tax Year Statement indicating that their income exceeded \$10,000.00 as set forth below:

Block & Lot	Owner	Property Description	Amount
01-0283	Kaciupski, Shirley	230-234 Msgr. Kemezis Pl.	250.00
06-315 C	Bove, Rose	Pt. 427-429 Erico Ave.	250.00
09-1414	Ryan, John	1020 William St.	250.00
12-0973	Chibante, Amelia	458 60 Monroe Ave.	<u>250.00</u>
			<u>\$ 1,000.00</u>

**WHEREAS**, the above mentioned senior citizens are deceased and the necessary filing of the Post-Tax Year Statement is not required; and

**WHEREAS**, there 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 2009.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking spaces on 140 Broadway, Elizabeth, New Jersey 07206 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Broadway  
beginning at a point 340' East of Second Street  
and continuing 22' East thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking spaces on 980 Coolidge Road, Elizabeth, New Jersey 07208 as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Coolidge Road  
beginning at a point 118' East of Shelley Avenue  
and continuing 22' East thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**RESOLVED** that City Council of the City of Elizabeth hereby establishes a handicapped parking spaces on **157 ½ Franklin Street, Elizabeth, New Jersey 07208** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curb line of Franklin Street  
beginning at a point 108' East of Second Street  
and continuing 22' East thereof;

and be it

**FURTHER RESOLVED** that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

- AFFIRMATIVE: Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, ~~\_\_\_\_\_~~, Gallman, Mazza, and President Cuesta - **X 8**
- NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**RESOLVED** that City Council of the City of Elizabeth hereby establishes a handicapped parking spaces on **223 Mellon Place, Elizabeth, New Jersey 07208** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of Mellon Place  
beginning at a point 300' South of Chilton Street  
and continuing 22' South thereof;

and be it

**FURTHER RESOLVED** that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

- AFFIRMATIVE: Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, ~~\_\_\_\_\_~~, Gallman, Mazza, and President Cuesta - **X 8**
- NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking spaces on 1019 Olive Street, Elizabeth, New Jersey as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curb line of Olive Street  
beginning at a point 239' West of Rt. 1 & 9 South  
and continuing 22' West thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking spaces on 634 Grier Avenue, Elizabeth, New Jersey as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Grier Avenue  
beginning at a point 100' North of Bayway  
and continuing 22' North thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking spaces on **614 Marshall Street, Elizabeth, New Jersey 07206** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Marshall Street  
beginning at a point 189' West of Sixth Street  
and continuing 22' West thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking spaces on **553 Court Street, Elizabeth, New Jersey** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the North curb line of Court Street  
beginning at a point 137' East of Sixth Street  
and continuing 22' East thereof;

and be it

FURTHER RESOLVED that said handicapped parking area be posted with proper signs, type R

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**RESOLVED** that City Council of the City of Elizabeth hereby amends Chapter 10.44.020 of the Code of the City of Elizabeth to delete the handicapped parking space at premises commonly known as **238 Inslee Place; 701 Van Buren Avenue; 838 Grove Street, 723 Jersey Avenue; 861 Cross Street, 863 Cross Street, 238 Fulton Street, 74 Geneva Street; 336 Spencer Street; 251 Marshall Street, 822 Livingston Street, 812 Murray Street, 519 Jefferson Avenue, Elizabeth, New Jersey** in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

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

**NEGATIVE:** None

**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:

AVAYA, INC.	0-01-31-440	\$ 7,368.93
ELIZABETHTOWN GAS	0-01-31-446	\$ 9,222.35
FLEETCOR TECHNOLOGIES SERVICE GASOLINE PURCHASE	0-01-31-460	\$ 83,670.10
LANGUAGE LINES	0-01-43-490-MCO-302	\$ 888.06
NATIONAL FUEL OIL, INC.	0-01-31-447	\$ 4,716.85
NATIONAL TERMINAL, INC.	0-01-31-447	\$ 9,910.60
NEXTEL COMMUNICATIONS	0-01-31-440	\$ 2,815.26
PSE&G	0-01-31-430	\$ 88,473.86
PSE&G	0-01-31-435	\$ 151,328.51
SPRINT	0-01-31-440	\$ 308.50
VERIZON	0-01-31-440	\$ 18,953.50
VERIZON CABS	0-01-31-440	\$ 192.39
VERIZON ONLINE	0-01-31-440	\$ 208.65
VERIZON WIRELESS	0-01-31-440	\$ 884.40
VERIZON COMMUNICATIONS	0-01-31-440	\$ 99.99

Which was adopted by the following vote:

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

NEGATIVE: None

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the City Council of the City of Elizabeth has learned of the recent death of Patrick J. Maloney, 88 a lifelong Elizabeth resident; and

**WHEREAS**, he was educated in the Elizabeth parochial and public school systems, graduating from Thomas Jefferson High School in 1939. Mr. Maloney received a B.A. degree from Kean College in 1974; and

**WHEREAS**, he entered the U.S. Army in 1942, and was assigned to the 88<sup>th</sup> Infantry Division. During combat in Italy, Mr. Maloney was wounded and received a Purple Heart, additionally he received two Bronze Stars for heroic combat actions; and

**WHEREAS**, Mr. Maloney entered the Elizabeth Police Department in 1947, and gradually ascended through the ranks, becoming a Deputy Chief in 1965. In 1983, he accepted an appointment as Chief of Investigations in the Union County Prosecutors Office, retiring from that office on June 30, 1989, Mr. Maloney accepted an appointment as Elizabeth's Police Director in October 1995, serving in that position until his retirement in June 1997; and

**WHEREAS**, during his career, he also served as a consultant to the N.J. Department of Community Affairs and the Police Training Commission, performing Police Department Management Studies in Somerville, New Jersey and Point Pleasant, New Jersey. Mr. Maloney provided a Police Department Attitude Study to the City of Dayton, Ohio. He conducted a Departmental Study of the Plainfield Police Department, and was a member of a group which provided a study of the Camden, New Jersey, Police Department; and

**WHEREAS**, Mr. Maloney was a member of a group, who formed the Elizabeth Police Superior Officers Association and served as the first president. He was a member of PBA Local 4, and the New Jersey Police/Firemen's Local 8. Mr. Maloney belonged to the Knights of Columbus Council 253; and

**WHEREAS**, he is survived by his wife of 62 years, Helen Maloney, sons Patrick J. Maloney and wife Christina Codo Maloney, Kenneth T. Maloney and his wife, Lisa Foote Maloney, and John K Maloney and wife, Barbara Paxton Maloney, and eight loving grandchildren, John Patrick, Caltlin, Kevin, Beatrice, Margaret, Lauren, Daniel, and Connor; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Patrick J. Maloney and wishes to express sympathy to his family, relatives and friends at this time of their loss; and be it

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

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

**BY CITY COUNCIL AS A WHOLE:**

**WHEREAS**, the City Council of the City of Elizabeth has learned of the death of Wilimetha Boatwright Bess of Elizabeth; and

**WHEREAS**, after a thirty-five year career as a Social Worker, Wilimetha retired from the Union County Board of Social Services, where she specialized in the delivery of services to children, families, and the elderly. Mrs. Bess was a dependable and trusted resource to many local citizens in their time of need. She could be relied upon to be available to help her many friends and neighbors through difficult circumstances; and

**WHEREAS**, Mrs. Bess was an active member of the Liberty Baptist Church in Elizabeth, serving as a dedicated usher, Sunday School teacher and Missionary, and she was very active in her local community. She mentored many young adults; advising them of the importance of completing their education, living a purposeful life, and giving back to the community. Mrs. Bess was an avid gardener, and loved to beautify the neighborhood by planning tulips and roses in the garden every year; now, therefore, be it

**RESOLVED** that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Wilimetha Boatwright Bess and wishes to express sympathy to her family, relatives and friends at this time of their loss; and be it

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

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

Councilman Keenan moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Cuesta declared City Council adjourned at

8:05 p.m.

APPROVED

FRANK J. CUESTA  
President of City Council

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