

PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
September 28, 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 Cedeno, 4th Ward; William Gallman, Jr., 5th Ward;
Frank O. Mazza, 6th Ward; and
President Frank J. Cuesta, Council Member-at-Large - 9

ABSENT: Cedeno - 1

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

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

Councilman Gonzalez moved for the approval of Minutes of Council meetings, which was seconded by Council President Cuesta.

The minutes of the City Council meetings held January 1,5,12,19,26;
February 2,9,16,23; March 3,9,16,23; April 6,13,21 and 27, 2010, were approved, as printed, unanimously.

2

PUBLIC SPEAKING

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

PUBLIC HEARINGS

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4156**, entitled:

REFUNDING BOND ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE FUNDING OF A TEMPORARY EMERGENCY APPROPRIATION OF THE CITY IN CONNECTION WITH GUSLAVAGE V. THE CITY OF ELIZABETH AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$1,230,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,230,000 REFUNDING BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF

This ordinance was adopted on its first reading at the meeting of City Council held on **August 24, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 16, 2010**.

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

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

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4157**, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO GEI CONSULTANT, 18000 HORIZON WAY, MT. LAUREL, NEW JERSEY ON BEHALF OF AGL RESOURCES TO CONDUCT SOIL BORINGS WITHIN THE PUBLIC-RIGHT-OFWAY ON CITY-OWNED PROPERTY ALONG THE BERM LOCOATED BETWEEN THE AGL ERIE STREET SITE AND THE ELIZABETH RIVER.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 14, 2010.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 20, 2010.**

Council President Cuesta 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 Cuesta declared the public hearing closed.

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4158**, entitled:

AN ORDINANCE TO AMEND CHAPTER 5.70.250 OF THE CODE OF THE CITY OF ELIZABETH TO EXTEND THE EXPIRATION DATE OF CHAPTER 5.70 GOVERNING RENT CONTROL TO DECEMBER 31, 2012

This ordinance was adopted on its first reading at the meeting of City Council held on **September 14, 2010.**

The Notice of Public Hearing was published in the Star Ledger issue of **September 20, 2010.**

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

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

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4159**, 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, 2009 THROUGH SEPTEMBER 30, 2011, 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 14, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 20, 2010**.

Council President Cuesta 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 Cuesta declared the public hearing closed.

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4160**, entitled:

AN ORDINANCE TO AUTHORIZE THE RENEWAL OF A LEASE AGREEMENT FOR THE RENTAL OF SPACE AT 1018 EAST GRAND STREET, ELIZABETH, NEW JERSEY, FOR THE PERIOD OF JUNE 19, 2009 THROUGH JUNE 18, 2011, BY THE ELIZABETH NEW JERSEY CORPS OF THE SALVATION ARMY, A NEW YORK CORPORATION, 1005 EAST JERSEY STREET, ELIZABETH, NEW JERSEY, TO PROVIDE EMERGENCY SHELTER FOR HOMELESS INDIVIDUALS AT THE ANNUAL RENTAL 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 14, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **September 20, 2010**.

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

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

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 7, 2010, from His Honor the Mayor, subject to confirmation, herewith re-appoints Mr. Jorge Lias, 418 Rosehill Place, Elizabeth, N.J., to serve as a Member of the Elizabeth Parking Authority for a five year term effective October 17, 2010.

Which was received.

By the Clerk:

Letter dated September 20, 2010, from His Honor the Mayor requesting an amendment to the resolution adopted July 27, 2010, authorizing the appointment of Public Defenders for the Elizabeth Municipal Court, specifically to correct the Public Defender listed as Nuno Afonso, Esq., to Nuno Afonso, Esq. and Jubilo L. Afonso, Esq., of the firm Afonso & Afonso, LLC., 546-548 Elizabeth Avenue, Elizabeth, N.J.

Which was received.

By the Clerk:

Letter dated September 14, 2010, from the Business Administrator recommending the award of a contract to Wilfred MacDonald, Inc., 19 Central Boulevard, South Hackensack, N.J., for the purchase of three (3) Westward Industries Go-4 Interceptor III Scooters or Equivalent in the amount of \$100,212.00.

Which was received.

By the Clerk:

Letter dated September 20, 2010, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Lloyds of London, through agent-of-record Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, N.J., for insurance covering City's foreclosed properties for the period October 1, 2010 to October 1, 2011, at an annual premium of \$1,050.00.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Chief Financial Officer advising that transfers for the 2010 SFY Municipal and Sewer Utility Budgets may be necessary.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Chief Financial Officer advising that temporary emergency appropriations for the 2011 SFY Municipal and Sewer Utility Budgets may be necessary.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Chief Financial Officer requesting a Dedication by Rider to the Municipal budget for Donations-Acceptance of Bequests and Gifts from the Conoco Phillips Pipeline Company, Bayway Refinery to provide for the operating costs for the City's Waterfront Park Walkway, Pier and Ramp Rehabilitation Project.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Chief Financial Officer requesting an ordinance authorizing for the execution and acknowledgement and delivery by the City of Elizabeth of certain agreements in relation to certain Mortgage Revenue Refunding Bonds, Series 2010 (Oakwood Plaza-Elizabeth) of the Union County Improvement Authority.

Which was received.

~~SEPTEMBER 20, 2010~~

~~RETIRED~~

By the Clerk:

Letter dated September 20, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a repayable Deferred Payment Loan to Community Investment Strategies, 201 Crosswicks Street, Bordentown, N.J., and/or its' successors or assigns, for predevelopment costs associated with the redevelopment of Oakwood Plaza in the amount of \$150,000.00.
Which was received.

By the Clerk:

Letter dated September 9, 2010, from the Director of Public Works requesting authorization for the proper City officials to execute a Memorandum of Understanding and a Hold Harmless Agreement, 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), in an amount not to exceed \$7,000.00.
Which was received.

By the Clerk:

Letter dated September 13, 2010, from the Director of Public Works requesting permission to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the total amount of \$20,932.87.
Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Director of Public Works recommending the award of a contract to the Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, N.J., to provide environmental consulting engineering services for the Environmental Consulting Engineering Services related to the former Saxony Motel property at a cost not to exceed \$85,000.00.
Which was received.

By the Clerk:

Letter dated September 10, 2010, from the Fire Director requesting authorization for the proper City officials to accept and sign all appropriate documents for the Memorandum of Understanding Agreement between the Port Authority of New York and New Jersey and the Elizabeth Fire Department, outlining responsibilities, terms, and conditions associated with the legal transfer of steel from the former World Trade Center; all costs for removal and transportation of the steel will be the responsibility of the Elizabeth Fire Department.
Which was received.

By the Clerk:

Letter dated September 9, 2010, from UNICO National, Elizabeth Chapter, N.J., requesting of your Honorable Body to declare the month of October, Italian-American Heritage Month with a flag raising ceremony to be held on October 20, 2010, in front of City Hall at 12:00 noon.
Which was received.

By the Clerk:

Letter dated September 17, 2010, from Morris Midtown Business Association, P.O. Box 443, Elizabeth, N.J., requesting permission to host the 8th Annual Colombian Independence Day Festival to be held Sunday, July 31, 2011, between Noon and 9:00 p.m.; rain dates Sunday, August 7 or Sunday August 14, 2011.
Which was received.

By the Clerk:

Letter dated September 20, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a repayable Deferred Payment Loan to Community Investment Strategies, 201 Crosswicks Street, Bordentown, N.J., and/or its' successors or assigns, for predevelopment costs associated with the redevelopment of Oakwood Plaza in the amount of \$150,000.00.
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Which was received.

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Letter dated September 13, 2010, from the Director of Public Works requesting permission to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the total amount of \$20,932.87.
Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Director of Public Works recommending the award of a contract to the Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, N.J., to provide environmental consulting engineering services for the Environmental Consulting Engineering Services related to the former Saxony Motel property at a cost not to exceed \$85,000.00.
Which was received.

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Letter dated September 17, 2010, from Morris Midtown Business Association, P.O. Box 443, Elizabeth, N.J., requesting permission to host the 8th Annual Colombian Independence Day Festival to be held Sunday, July 31, 2011, between Noon and 9:00 p.m.; rain dates Sunday, August 7 or Sunday August 14, 2011.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter September 28, 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, September 24, 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. 4161** , which was seconded by Councilman Keenan, entitled:

ORDINANCE AUTHORIZING THE EXECUTION AND ACKNOWLEDGMENT AND DELIVERY BY THE CITY OF ELIZABETH OF CERTAIN AGREEMENTS IN RELATION TO CERTAIN MORTGAGE REVENUE REFUNDING BONDS, SERIES 2010 (OAKWOOD PLAZA-ELIZABETH) OF THE UNION COUNTY IMPROVEMENT AUTHORITY.

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, [REDACTED], Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of **Ordinance No. 4162** , which was seconded by Councilman Keenan, entitled:

AN ORDINANCE AMENDING CHAPTER 5.100 OF THE CODE OF THE CITY OF ELIZABETH, ENTITLED "TAXICABS," TO ESTABLISH THE SEATING CAPACITY OF TAXICABS.

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, [REDACTED], Gallman, Mazza, and President Cuesta - 8

NEGATIVE: None

Council President Cuesta announced that public notice will be published fixing Tuesday, October 12, 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. 4161 and 4162 , adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4156** , which was seconded by Councilman Keenan:

REFUNDING BOND ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE FUNDING OF A TEMPORARY EMERGENCY APPROPRIATION OF THE CITY IN CONNECTION WITH GUSLAVAGE V. THE CITY OF ELIZABETH AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$1,230,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,230,000 REFUNDING BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF

WHEREAS, pursuant to the Local Budget Law, specifically N.J.S.A. 40A:4-20, the City of Elizabeth, in the County of Union, New Jersey (the "City"), has heretofore authorized, by resolution adopted by the City Council on August 24, 2010, an emergency temporary appropriation in the amount of \$1,215,000 with respect to the payment of a judgment against the City and related expenses in the civil action instituted by John Guslavage in the Superior Court of New Jersey, Union County (Docket No. UNN-L-857-02) (the (the "Temporary Emergency Appropriation"); and

WHEREAS, the City has determined that it is in the best interests of the City to pay, fund or refund the Temporary Emergency Appropriation through the issuance by the City of its refunding bonds or notes in an aggregate principal amount of up to \$1,230,000, as provided in this refunding bond ordinance.

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 City of Elizabeth, in the County of Union, New Jersey (the "City") is hereby authorized to refund all or a part of the City's Temporary Emergency Appropriation and to provide for the payment of costs of issuance.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable general obligation refunding bonds (the "Refunding Bonds") and negotiable refunding bond anticipation notes (the "Refunding Notes") are hereby authorized to be issued in the principal amount not to exceed \$1,230,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. All Refunding Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no Refunding Note shall mature later than one (1) year from its date. The Refunding 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 Refunding Notes issued pursuant to this refunding bond ordinance, and the Chief Financial Officer's signature upon the Refunding Notes shall be conclusive evidence as to all such determinations. All Refunding Notes issued hereunder may be renewed from time to time, in accordance with a maturity schedule approved by the Local Finance Board. The Chief Financial Officer is hereby authorized to sell part or all of the Refunding 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 dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the City Council at the meeting next succeeding the date when any sale or delivery of the

Refunding Notes pursuant to this refunding bond ordinance is made. Such report must include the amount, description, interest rate and maturity schedule of the Refunding Notes sold, the price obtained and the name of the purchaser.

Section 5. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding 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 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held .
August 24, 2010.

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, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4157**, which was seconded by Councilman Keenan:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO GEI CONSULTANT, 18000 HORIZON WAY, MT. LAUREL, NEW JERSEY ON BEHALF OF AGL RESOURCES TO CONDUCT SOIL BORINGS WITHIN THE PUBLIC-RIGHT-OFWAY ON CITY-OWNED PROPERTY ALONG THE BERM LOCOATED BETWEEN THE AGL ERIE STREET SITE AND THE ELIZABETH RIVER.

WHEREAS, the Division of Engineering has reviewed an application submitted to the City of Elizabeth by Ms. Sue Boyle, GEI Consultants, Inc., 18000 Horizon Way, Mt. Laurel, New Jersey on behalf of AGL Resources requesting the following:

1. An encroachment permit for work within the public right of way of City owned property for soil borings along the berm owned by the City located between the Erie Street site and the Elizabeth River; now, therefore,

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

SECTION 1. - That an encroachment permit be granted to GEI Consultant, 18000 Horizon Way, Mt. Laurel, New Jersey on behalf of AGL Resources to conduct soil borings along the berm owned by the City located between the AGL Erie Street site and the Elizabeth River as set forth on the support documentation including a plan dated August 20, 2010 prepared by Brian C. Mannino, PE. The plans are on file in the City Engineer's Office.

SECTION 2. - The Permittee shall provide a liability insurance certificate 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 thirty (30) day notice of cancellation of policy. The Permittee shall also be responsible for all maintenance with regard to the encroachment.

SECTION 3. - All ordinances or parts of ordinance 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 14, 2010.

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 20, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4158**, which was seconded by Councilman Keenan:

AN ORDINANCE TO AMEND CHAPTER 5.70.250 OF THE CODE OF THE CITY OF ELIZABETH TO EXTEND THE EXPIRATION DATE OF CHAPTER 5.70 GOVERNING RENT CONTROL TO DECEMBER 31, 2012

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

SECTION 1. - That Section 5.70.250 entitled "When Effective, Expiration Date" be amended as follows:

This Ordinance shall remain in full force and effect until December 31, 2012, at which time it shall automatically cease and be of no force and effect after the date, unless specifically extended by the Governing Body. Any such extension action must be taken by the Governing Body prior to the expiration date set forth herein.

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 14, 2010.**

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 20, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4159**, which was seconded by Councilman Keenan:

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, 2009 THROUGH SEPTEMBER 30, 2011, 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, 2009 through September 30, 2011 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 14, 2010.**

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 20, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4160** , which was seconded by Councilman Keenan:

AN ORDINANCE TO AUTHORIZE THE RENEWAL OF A LEASE AGREEMENT FOR THE RENTAL OF SPACE AT 1018 EAST GRAND STREET, ELIZABETH, NEW JERSEY, FOR THE PERIOD OF JUNE 19, 2009 THROUGH JUNE 18, 2011, BY THE ELIZABETH NEW JERSEY CORPS OF THE SALVATION ARMY, A NEW YORK CORPORATION, 1005 EAST JERSEY STREET, ELIZABETH, NEW JERSEY, TO PROVIDE EMERGENCY SHELTER FOR HOMELESS INDIVIDUALS AT THE ANNUAL RENTAL FEE OF ONE DOLLAR (\$1.00) PER YEAR.

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

SECTION 1. The lease agreement is hereby renewed between the City of Elizabeth and the Elizabeth New Jersey Corps of the Salvation Army, a New York Corporation, for the rental of space at 1018 East Grand Street, Elizabeth, New Jersey to provide Emergency Shelter for Homeless Individuals for the period June 19, 2009 though June 18, 2011 at a rental fee of one-dollar 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 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 14, 2010.**

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 20, 2010.**

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

NEGATIVE: None

NEW BUSINESS

Councilman Kennan **MOVED** for a Suspension of the Rules to consider a resolutions which did not appear on the agenda, seconded by Councilman Grova and

Which was carried unanimously.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has received the application to file for 2011 funding of the Housing Opportunities for People with AIDs (H.O.P.W.A) Grant; and

WHEREAS, the Director of the Department of Health and Human Services has requested permission to make an application to accept the funds awarded and for the proper City Officials to execute any documents pertaining to the 2011 H.OP.W.A. Grant; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to apply, accept the funds awarded and to execute any and all documents pertaining to the Housing Opportunities for People with AIDS (H.OP.W.A) 2011 Grant.

Which was adopted by the following vote:

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

NEGATIVE: None

The regular order of business was then resumed.

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 2011 budget , and no adequate provision has been made in the Fiscal Year 2011 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 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$111,276,250.24, 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 2011 budget under the titles of:

	Description	Salaries and Wages	Other Expenses
	City Council	60,000.00	8,000.00
	Alcoholic Beverage Control	35,000.00	2,000.00
	City Clerk's Office	75,000.00	2,500.00
	Election		
	Printing and Publications		50,000.00
	Mayor's Office	75,000.00	4,000.00
	Law Department	200,000.00	
	Business Administrator's Office	100,000.00	
	Division of Budget and Personnel	50,000.00	
	Division of Purchasing	80,000.00	75,000.00
	Division of Data Processing	190,000.00	200,000.00
	Division of Employee Benefits	35,000.00	750.00
	Division of EMS Billing and Collection	35,000.00	
	Division of Accounts and Controls	225,000.00	7,500.00
	Division of Assessments	130,000.00	
	Annual City Audit		
	Single Audit (Grants)		

	Description	Salaries and Wages	Other Expenses
	Audit-Other Funds		
	Financial Audit		
	Division of Revenue	150,000.00	8,000.00
	Director of Neighborhood Services		
	Bureau of Construction and Zoning	250,000.00	50,000.00
	Bureau of Housing	100,000.00	
	Bureau of Rent Control	14,000.00	2,000.00
	Central License	150,000.00	9,500.00
	Weights and Measures	20,000.00	
	Director of Policy and Planning		
	Bureau of Community Development		
	Bureau of Elizabeth Home Improvement		
	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	50,000.00
	Bureau of Cultural & Heritage Affairs	40,000.00	15,000.00
	Human Rights Commission	25,000.00	
	Director of Public Works	250,000.00	
	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	
	Garbage and Trash Removal		2,250,000.00
	Street Lighting		500,000.00
	Director of Health & Human Services	75,000.00	40,000.00
	Division of Health	450,000.00	200,000.00
	Division of Human Services	25,000.00	4,000.00

	Description	Salaries and Wages	Other Expenses
	Office of Social Services	30,000.00	5,000.00
	Office on Aging	200,000.00	25,000.00
	Office on Youth Services	125,000.00	100,000.00
	Office of Relocation	25,000.00	25,000.00
	Office of Vital Statistics	60,000.00	2,000.00
	Division of Air Pollution	12,000.00	
	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		60,000.00
	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		35,000.00
	Telephone		300,000.00
	Postage		75,000.00
	Parking Lot Agreement		47,700.00

	Description	Salaries and Wages	Other Expenses
	Contingent		
	Social Security		900,000.00
	Consolidated Police & Fire Ret. Fund		
	Assessment for CIF/RTK		6,000.00
	Unemployment Insurance		50,000.00
	Matching Funds-City Grants		
	Hospital, Medical, Dental, etc, Insurance		7,000,000.00
	Free Public Library		1,000,000.00
	Capital Improvement Fund		
	Capital Improvement Fund-Restructuring		
	Sub Totals	25,471,000.00	16,848,950.00
	Total Municipal Appropriations:		42,319,950.00
	GRANTS:		
	Sub Total	0.00	0.00
	Total Grants		0.00
	Debt Service:		
	Debt Service Agreements		800,000.00
	NJDOT Loan Metromall		300,000.00
	Total Debt Service		1,100,000.00
	Total Appropriations		43,419,950.00

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, Jackus, Grova, Gonzalez, Keenan, , Gallman, Mazza, and President Cuesta ✕ 8

NEGATIVE: None

**CITY OF ELIZABETH
COUNTY OF UNION**

A RESOLUTION REQUESTING PERMISSION FOR A DEDICATION BY RIDER FOR DONATIONS-ACCEPTANCE OF BEQUESTS AND GIFTS (FROM THE CONOCO PHILLIPS PIPELINE COMPANY, BAYWAY REFINERY) AS REQUIRED BY NJS 40A:5-29

BY CITY COUNCIL AS A WHOLE:

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance;

WHEREAS, NJS 40A:5-29 provides for receipts of donations (ConocoPhillips Pipeline Company, Bayway Refinery) by the municipality to provide for the operating costs (City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project) to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the dedicated revenues anticipated from the Donations Fund are hereby anticipated as revenue (ConocoPhillips Pipeline Company, Bayway Refinery) and are hereby appropriated (City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project) for the purpose to which said revenue is dedicated by State or other legal requirement:

NOW THEREFORE, BE IT RESOLVED, by City Council of the City of Elizabeth, County of Union, New Jersey as follows:

1. The City Council does hereby request permission of the Director of the Division of Local Governmental Services to pay expenditures (City Waterfront Park Walkway, Pier and Ramp Rehabilitation Project) of the Donations Fund from revenues (ConocoPhillips Pipeline Company, Bayway Refinery) per NJS 40A:5-29.
2. The Clerk of the City of Elizabeth, County of Union, New Jersey, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Governmental Services.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby confirm the reappointment of **Mr. Jorge Lias, 418 Rosehill Place, Elizabeth, New Jersey 07202** to serve as a Member of the Parking Authority for a five year term effective October 17, 2010 pursuant to **N.J.S.A.** 40:11A-1 and the Administrative Code of the City of Elizabeth.

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, on July 27, 2010 your Honorable Body adopted a resolution authorizing the appointment of Municipal Public Defenders for the Elizabeth Municipal Court for the term July 1, 2010 to June 30, 2011; and

WHEREAS, the listing for Municipal Public Defender Nuno Afonso, Esq., 1235 Morris Avenue, Union, New Jersey 07083 was incorrect; and

WHEREAS, the correct name of the firm is:

**Nuno Afonso, Esq., and Jubilo L. Afonso, Esq.
Afonso & Afonso, LLC
546-548 Elizabeth Avenue
First Floor Right
Elizabeth, New Jersey 07206**

now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth amends a resolution adopted July 27, 2010, authorizing the appointment of Public Defenders for the Elizabeth Municipal Court, specifically to correct the Public Defender listed as Nuno Afonso, Esq., to Nuno Afonso, Esq. and Jubilo L. Afonso, Esq. of the firm Afonso & Afonso LLC, 546-548 Elizabeth Avenue, First Floor Right, Elizabeth, New Jersey.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, ~~Codomo~~, Gallman, Mazza, and President Cuesta - 4 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on August 31, 2010, the Purchasing Agent received three (3) bids for the purchase of three (3) Westward Industries Go-4 Interceptor III Scooters or Equivalent for the Police Department; and

WHEREAS, the Business Administrator and the Purchasing Agent have requested authorization for the award of a contract to the sole responsible bidder **WILFRED MACDONALD, INC., 19 Central Boulevard, South Hackensack, New Jersey 07606** for the purchase of three (3) Westward Industries Go-4 Interceptor III Scooters or Equivalent for the Police Department in the amount of \$100,212.00; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-01894, charging the amount of \$1,068.00 to Account No. 0-21-56-130, and Certification No. 11-01895, charging the amount of \$99,144.00 to Account No. G-02-41-753-10 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 authorizes the award of a contract to the sole responsible bidder **WILFRED MACDONALD, INC., 19 Central Boulevard, South Hackensack, New Jersey 07606** for the purchase of three (3) Westward Industries Go-4 Interceptor III Scooters or Equivalent for the Police Department in the amount of \$100,212.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on March 13, 2009 and March 12, 2010 the Office of the Department of Public Works received & reviewed qualification proposals for environmental consulting engineering services from the firm of **Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, New Jersey 07016**, The request for qualifications was solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et. Seq., and N.J.S.A. 40A:11-5 (a) (i); and

WHEREAS, on November 18, 2008, a 1,500-gallon #2 heating oil underground storage tank (UST) was removed from the former Saxony Motel site by Luzon, Inc., in conjunction with the demolition of the building. Removal of the tank revealed that the tank had been leaking. At that time a total of 2,209.29 tons of impacted soil and 6,200 gallons oil/water were removed from the site. Additional soil samples were also collected from the sidewall of the excavation; and

WHEREAS, as a result of the contamination found on site, **Birdsall Service Group, Inc** has provided the City with expert testimony and depositions related to recommendations on the amount of funds required to be held in an escrow amount currently being held by the courts. These escrow funds contain a portion of the purchase price held to cover any allowable costs of remediation of the site; and

WHEREAS, **Birdsall Service Group, Inc.** will continue to provide the City with environmental expert litigation, support services for this case, which includes review of documents, meetings and preparing response letter to support the City; and

WHEREAS, the Director of the Department of Public Works has requested an award of a contract be made to **Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, New Jersey 07016**, to provide the City of Elizabeth with professional environmental consulting engineering services relating to the former Saxony Motel property located at 330-338 Atlantic Street, at a cost not to exceed \$85,000.00 for the Environmental Consulting Engineering Services related to the former Saxony Motel property; and

WHEREAS, **Birdsall Service Group, Inc.** will continue to provide the City with environmental expert litigation support services for this case, which includes review of documents, meetings and preparing response letters to support the City; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-02346 charging the amount of \$85,000.00 to Account No. X-04-55-948-001 of the Municipal Budget is on file in the Office in the City Clerk; and

WHEREAS, Professional Service contracts are exempt from the provisions of Chapter 2.92 of the code of the City of Elizabeth; and

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with a **Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, New Jersey 07016** to provide the City of Elizabeth with professional environmental consulting engineering services relating to the former Saxony Motel property located at 330-338 Atlantic Street, at a cost not to exceed \$85,000.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
3. A notice of this action shall be printed once in The Star Ledger.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to execute a contract with **Lloyds of London, 1 Lime Street, London, England EC3M7HA (through their Agent Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, NJ 07632)** for insurance covering the City's foreclosed properties. The term of the policy is October 1, 2010 to October 1, 2011 at a cost of \$1,050.00; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No.11-02090, charging the amount of \$1,050.00 to Account Number 11-01-23-210-INS of the Municipal Budget, is on file in the Office of the City Clerk; and

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

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement with **Lloyds of London, 1 Lime Street, London, England EC3M7HA (through their agent Otterstedt Agency 540 Sylvan Avenue, Englewood Cliffs, New Jersey 07632)** for property insurance covering the City's foreclosed properties. The term of the policy is October 1, 2010 to October 1, 2011 at a cost of \$1,050.00.

2. Lloyds of London offers a continuation of the present property Insurance coverage.
This is a renewal from last year and will provide continuity of coverage.
3. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance and Banking, in order to qualify to do business within this State.
New Jersey Statute 40A:11-5(m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements thereof.
4. This cannot be described by written specifications because of the special nature of the service as described in paragraph (3) and as specifically exempted from the bidding requirements of N.J.S.A. 40A:11-5(m).
5. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova,
Gonzalez, Keenan, ~~Cedeno~~, 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 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. 11-02083, charging the amount of \$7,000.00 to Account No. 0-01-305-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, Jackus, Grova,
Gonzalez, Keenan, ~~Coble~~, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Fire Department has requested authorization for the proper City Officials to accept and sign all appropriate documents for the Memorandum of Understanding (MOU/Agreement) between the Port Authority of New York and New Jersey and the Elizabeth Fire Department; and

WHEREAS, the Memorandum of Understanding/Agreement outlines responsibilities, terms, and conditions, associated with the legal transfer of steel from the former World Trade Center, identified as N-47, N-45 in the Port Authority's World Trade Center Archive: Artifact Inventory Report of January 31, 2007; and

WHEREAS, upon execution of the Agreement, full and complete legal ownership of the steel, in its present condition, will be given to the Elizabeth Fire Department. All costs of the removal and transportation of the steel will also be the responsibility of the Elizabeth Fire Department; and

WHEREAS, beginning the morning of September 11, 2001, the Elizabeth Fire Department provided Mutual Aid assistance to Staten Island and Brooklyn, as well as operated at *Ground Zero* in Manhattan, assisting in search and recovery efforts; and

WHEREAS, with the anticipated transfer of the former World Trade Center steel, it is the intent of the Elizabeth Fire Department to construct a September 11, 2001 memorial within the Elizabeth Fire Headquarters. This memorial is anticipated to be constructed with donated materials and services at no cost to the City of Elizabeth; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute all appropriate documents for the Memorandum of Understanding Agreement between the Port Authority of New York and New Jersey and the Elizabeth Fire Department outlining responsibilities, terms and conditions associated with the legal transfer, cost of removal and transportation of steel from the former World Trade Center.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development 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 INVESTMENT, 201 Crosswicks Street, Bordentown, New Jersey 08505** for the existing Oakwood Plaza Site, Irvington Avenue & Parker Road, Elizabeth, New Jersey; and

WHEREAS, the purpose is for predevelopment costs for a maximum amount of assistance to be provided \$150,000.00; and

WHEREAS, the terms are 0% interest loan repayable after three (3) 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 INVESTMENT STRATEGIES**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose in Certification No. 11-02347 charging the amount of \$18,878.75 to Account Number T-22-56-010-PHB-194 Certification No. 11-02349 charging the amount of \$131,121.25 to Account Number 1-21-56-182 of the Municipal Budget and 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 a Rental Housing Program Deferred Payment Loan in the maximum amount of \$150,000.00 to **COMMUNITY INVESTMENT STRATEGIES, 201 Crosswicks Street, Bordentown, New Jersey 08505** at zero percent interest repayable after three (3) years on property located at the existing Oakwood Plaza Site, Irvington Avenue & Parker Road, 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, ~~Codomo~~, Gallman, Mazza,
and President Cuesta - 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Department of Public Works has caused certain **cleaning 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 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 as shown on the Certificates of the Director of the Department of Public Works of costs to the City for cleanup and removal of debris for the properties at the costs 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 9/13/2010 Total Amount: \$20,932.87.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on November 10, 2009, the City Council of the City of Elizabeth adopted a resolution authorizing the use of CBDG-35, FY 2009 funds in the amount of \$600,000.00 for use by the EDC for comprehensive economic development to business more specifically for property located at 12-18 Broad Street, and 1160-1164 Elizabeth Avenue in the amount of \$478,724.93 and for property located at 205-215 First Street Acquisition Project in the amount of \$121,275.07; and

WHEREAS, to-date, funds for \$44,437.64 have been drawn down from the Midtown Redevelopment project, with an additional \$6,585.28 forecasted, leaving a current available balance of \$427,702.01. In addition, the entire approval amount of \$121,275.7 for the First Street Acquisition Project has been drawn down, leaving a zero balance; and

WHEREAS, the Business Administrator has requested an amendment to the November 10, 2009 resolution to reallocate the above-referenced funds as follows: The remaining balance of \$427,702,01 from the Midtown Project be transferred to the First Street Acquisition Project to replenish funding for the project as it is rapidly moving forward and is due to be completed in April 2011; and

WHEREAS, the Business Administrator has also requested that the November 10, 2009 resolution also be amended to extend the contract period from June 30, 2010 to May 31, 2011; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-01463, charging the amount of \$427,702.01 to Account No. T-22-56-010-EDC-172 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 dated November 10, 2009 as follows :The remaining balance of \$427,702,01 from the Midtown Project is to be transferred to the First Street Acquisition Project to replenish funding for the project as it is rapidly moving forward and is due to be completed in April 2011 The contract period from June 30, 2010 to May 31, 2011.

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, a resolution adopted by the City Council of the City of Elizabeth on April 27, 2004, authorizing the establishment of a handicapped parking space in front of the premises located at **806 Garden Street, Second Floor, Elizabeth, New Jersey** is hereby rescinded

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 space in front of **332-338 Niles Street, Elizabeth, New Jersey** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Niles Street
beginning at a point 57' North of Fourth Avenue
and continuing 22' North thereof;

and be it

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, 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 space in front of **176 Glenwood Road, Elizabeth, New Jersey** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of Glenwood Road
beginning at a point 561' North of Edgwood Road
and continuing 22' North thereof;

and be it

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

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City of Elizabeth is privileged to have many thousands of citizens who are of Italian ancestry and they are among the most industrious in our society; and

WHEREAS, this is the thirteenth year that this Governing Body has traditionally declared the month of October as Italian-American Heritage Month; and

WHEREAS, the City of Elizabeth will officially celebrate October 2010 as Italian-American Heritage Month and the City will be having a flag raising ceremony at City Hall on October 20, 2010 at 12:00 p.m.; now, therefore, be it

RESOLVED by the City Council of the City of Elizabeth, in recognition for the many accomplishments and contributions of Italian-Americans, declares the month of October 2010 Italian-American Heritage Month; and be it

FURTHER RESOLVED that this resolution will be recorded in full upon the minutes of City Council.

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 **Morris Avenue Midtown Business Association** has requested permission to conduct their eighth annual Colombian Independence Day Street Festival on Sunday, July 31, 2011 (rain dates August 7 or August 14) between Westfield Avenue and Morris Avenue from 12:00 noon to 9:00 p.m.; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby grants permission for the **Morris Avenue Midtown Business Association** to conduct their eighth annual Colombian Independence Day Street Festival on Sunday, July 31, 2010 on (rain dates August 7 or August 14) between Westfield Avenue and Morris Avenue from 12:00 noon to 9:00 p.m. provided that they comply with all provisions contained in Chapter 12.56 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

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

NEGATIVE: None

~~PAID. CREDITED TO THE CITY OF ELIZABETH~~

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	1-01-31-446	\$ 2,617.84
FLEETCOR TECHNOLOGIES SERVICE	1-01-31-460	\$ 78,855.55
HESS CORP.	1-01-31-430	\$ 74,288.04
NATIONAL FUEL OIL, INC.	1-01-31-460	\$ 9,114.80
NATIONAL TERMINAL, INC.	1-01-31-447	\$ 4,394.18
PSE&G	1-01-31-430	\$ 4,924.76
SPRINT	1-01-31-440	\$ 1,612.52
VERIZON	1-01-31-440	\$ 6,016.31
VERIZON WIRELESS	1-01-31-440	\$ 672.20
VERIZON COMMUNICATIONS	1-01-31-44	\$ 799.86

Which was adopted by the following vote:

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

NEGATIVE: None

~~September 28, 2010~~

BY COUNCIL AS A WHOLE:

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

<u>ORGANIZATION</u>	<u>AG</u>	<u>B.L.</u>	<u>R.L.</u>	<u>DATE</u>
Cherrahatzalah of Elizabeth Corp			5244	10-5-10

Which was adopted by the following vote:

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

NEGATIVE: None

WHEREAS, the City Council of the City of Elizabeth has learned that the Union County Emerald Society, New Jersey Chapter 2, will be honoring Sgt Edgardo Torres on October 23, 2010 at their annual fund raiser at the Kenilworth Veterans Center on North 21st Street, Kenilworth, New Jersey; and

WHEREAS, Sgt. Edgardo Torres a member of the 50th Brigade, 102 Cavalry in West Orange assisted Saif "Sonny" Odah, a former Iraqi interpreter for the U.S. Army, in coming to the United States with the help of other New Jersey based soldiers; and

WHEREAS, Saif "Sonny" Odah worked with Sgt. Edgardo Torres acting as an interpreter in Iraq on various missions; and

WHEREAS, Saif "Sonny" Odah's assignments in Iraq put him at great personal risk; and

WHEREAS, Sgt. Edgardo Torres was instrumental together with other New Jersey based soldiers in assisting Saif "Sonny" Odah in the process of obtaining an American Visa so that he might come to the United States; and

WHEREAS, Sgt. Torres continued to assist Saif "Sonny" Odah's in the application process even after he was hospitalized at Walter Reed Medical Center in Washington, D.C.

WHEREAS, upon Saif "Sonny" Odah's arrival in the United States extended his home to him; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth is proud of Sgt. Edgardo Torres humanitarian efforts in assisting Saif "Sonny" Odah and extends congratulations to Sgt. Torres for the recognition that is being bestowed upon him by the Union County Emerald Society, New Jersey Chapter 2 on October 23, 2010 at their annual fund raiser in Kenilworth, New Jersey and wishes him good will in all of his future endeavors; and be it

FURTHER RESOLVED that a certified copy of this resolution be spread in full upon the minutes of City Council and a certified copy be sent to Sgt. Edgardo Torres.

Councilman Kennan stated that Sgt. Torres is in the National Guard and has done a tour in Iraq and this commendation is richly deserved.

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 City Council of the City of Elizabeth has learned that the Liberty Baptist Church will be installing their eleventh Pastor, Pastor Lester W. Wormley; and

WHEREAS, Pastor Wormley was born and raised in Newark, New Jersey and was educated in the Newark public school system. He has also attended Kean University and Nyack College to study communications and Christian education respectively. He graduated from the New York Theological Seminary Christian Ministry Program; and

WHEREAS, Pastor Wormley began his leadership journey by operating in music ministry. Prior to becoming a pastor he strengthened the music ministries of churches for over fifteen years. He established or assisted several gospel choirs of academic institutions including Science High, Newark, NJ, Elizabeth High School, Elizabeth, NJ, Rutgers University, Newark, NJ and Seton Hall University, South Orange, NJ. It was during these years that Pastor Wormley began to preach the Gospel and build a reputation as a capable preacher as well as a musician. His talent and commitment to ministry carried him to churches, schools and performing arts venues around the country; and

WHEREAS, Pastor Wormley served as Pastor of the St. Mark unified Free Will Baptist Church for nearly nine years before answering his current call to serve as the Senior Pastor of the Liberty Baptist Church. Pastor Wormley is a man that has a passion for ministry and Compassion for people. He is also driven to impact the community through activism, advocacy and organization. It is that passion that he brings to Liberty in order to present ministry that will free people from the restraints of the world and release them to become all that god has destined them to be; and

WHEREAS, Pastor Wormley is happily married to the former Shamika Parker of Elizabeth, New Jersey. They are blessed with their "pride and joy" two wonderful children, Markus and Shanice; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby congratulates Pastor Lester W. Wormley upon his installation as the eleventh Pastor of the Liberty Baptist Church and wishes him continued success in their future endeavors; and be it

FURTHER RESOLVED that a copy of this resolution be spread in full upon the minutes of City Council and that a certified copy be forwarded to Pastor Lester W. Wormley.

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 City Council has learned of the recent death of Reverend Antonio L. Bico; and

WHEREAS, Antonio L. Bico was born in Coimbra, Portugal and came to this country as a child and settled in Elizabeth twelve years ago; and

WHEREAS, he then lived in Union before moving to South Orange. He was a graduate of Seton Hall University in 1989. He studied in Rome and was ordained a deacon in Rome in October 1992. he was ordained to the priesthood in Newark on May 29, 1993; and

WHEREAS, Father Antonio L. Bico served as a parochial vicar at Holy Cross Church, Harrison, and in Our Lady of Fatima R.C. churches, both in Elizabeth and Newark, before returning as a professor of theology at the Immaculate Conception Seminary School of Theology three years ago. He was also the Spiritual Director of the Seminary. He received his doctorate (STD) from Our Lady of the Lake Seminary in Mundelein, Ill., in 2007; and

WHEREAS, he was active in QUEST and CURA Jovem, Newark. He was a member of the Knights of Columbus Council No. 11798, Elizabeth, and active in prison ministry; and

WHEREAS, Father Antonio is survived by his parents, Antonio A. and Felismina de Jesus Ventura Bico; a twin brother, Agostinho V. Bico and his wife, Fernanda; a sister Fernanda Nunes and her husband, Fernando; his maternal grandmother, Mercedes Ventura; two nieces and two nephews, Brandon and Savanna Bico and Joshua and Alexic Nunes; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its deep sorrow at the death of Reverend Antonio I. Bico and extend to his bereaved family, parishioners and friends our sympathy and condolences; 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 recent death of Rosa Floyd, 80; and

WHEREAS, Rosa Floyd was born in Greensboro, N.C. and she moved to Elizabeth in the 1940's; and

WHEREAS, she was employed by the Union County Probation Department up until her death. She also volunteered as a juvenile worker for twenty years, winning many awards; and

WHEREAS, Mrs. Floyd, along with her husband, the late Mr. Milton Floyd, began an annual Thanksgiving basket drive which has lasted for forty-one years. They arranged annual trips to Washington, D.C. for the under-privileged children of Elizabeth. They were the foster parents to over one-hundred children, and they opened the doors of their home to many more children. She and her husband's charitable works are too numerous to mention; and

WHEREAS, she was a faithful and dedicated member of the Mt. Teman A.M.E. Church in Elizabeth, where she served on the Stewardness Board, the Women's Missionary Society and the Mother's Club; and

WHEREAS, she is survived by a son, Milton T. Floyd (Sallie); daughters, Carmen D. Burchell (Randy), Diana Wright (Learnix), Miltiona Williams (Bernard), Bonita A. Ward (late Lawrence), Sharon L. Prez (Victor), Charlotte Warren (Malik), Carolyn, D Dixon (Oscar), Ddona Carlino (Joseph), and Elizabeth Mairs; a sister, Valeen Moore; two special daughters, Marie Mason and Renee A. Mitchell; 26 grandchildren; 57 great-grandchildren and a host of loving relatives and friends; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of honored humanitarian Rosa Floyd 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.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Mildred "Millie" Lo Brace, 79; and

WHEREAS, Mrs. Lo Brace was born in Elizabeth, resided in Roselle Park for forty years before moving to Union ten years ago; and

WHEREAS, she was a bank account representative for thirty-five years for Summit Trust Company in Elizabeth, retiring in 1995. She was a member of the Riccio Association of Elizabeth; and

WHEREAS, Millie was a devout Catholic who loved to spend time with her family. She was the former President of Cub Scout Pack 116 in Roselle Park. She enjoyed shopping and trips to Atlantic City; and

WHEREAS, she was predeceased by her parents Joseph and Michelina Riccio; her brothers, Patsy and Charles Riccio, and her sisters, Jennifer Caiola, Elizabeth Stanley, and Frances Bottitta, she is survived by her devoted husband of 55 years, Frank A. LoBrace, and her children, Bennett and his wife, Marisa; Frank and his wife, Nancy, and Joseph LoBrace. She was the cherished grandmother of Jessica Lo Brace Fessock and her husband, Paul, Christopher, Matthew, Andrew, Joseph, Daniel, Jenna, and Cristina Lo Brace, and great-grandmother of Elliana Fessock, and aunt of many nieces and nephews; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Mildred "Millie" Lo Brace 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 record 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.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Gioacchino Triarsi, 89; and

WHEREAS, he was born in Ribera, Italy, he came to the United States and settled in Elizabeth in 1965; and

WHEREAS, he was a laborer with Laborers Local 394 in Elizabeth for thirteen years, retiring at age 62; and

WHEREAS, he was a communicant of St. Anthony's R.C. Church and a member of the Ribera Club both of Elizabeth; and

WHEREAS, Gioacchino is survived by his wife, Giuseppa Triarsi (nee Romeo); daughters, Francesca Triarsi, and Mrs. Giovanna Gatto and her husband, Giuseppe; son, Onofrio Triarsi and his wife, Dagmar, sisters, Mrs. Carmella Coletti, Mrs. Giuseppa Ruvolo and Mrs. Francesca DiGiannini; also survived by ten loving and adoring grandchildren and fifteen great-grandchildren; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Gioacchino Triarsi, 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.

Councilman Keenan moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Cuesta declared City Council adjourned at

7:50 p.m.

APPROVED

FRANK J. CUESTA
President of City Council

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