

PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
November 9, 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:

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.

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

PUBLIC SPEAKING

Mrs. Charlotte Brown, 548 Walnut Street, stated that on Saturday, November 6, 2010, the United Youth hosted a basketball event which was successful, but there was a problem after the event. She continued that the Director of the Recreation Center spoke very disrespectfully to her and the remaining parents and guests. She stated further that never has she felt so embarrassed.

Mrs. Brown stated that the Director is not going to treat her as if she is on a plantation. She continued that the Recreation Center needs someone there that knows how to talk to people. She stated further that her program has been running out of the Center for fifteen years and she is grateful to be at this Center, but this man does not know how to talk to people.

Mrs. Brown stated that the Recreation Center does not need someone there that will aggravate a situation instead of defusing it.

Ms. Ella Perkins, 922 Emma Street, spoke regarding the closing of the swimming pool at the Mickey Walker Center. She queried to why the pool was going to be closed and requested to know what the water park will consist of.

Councilwoman Perkins-Auguste responded that it was not a water park, but more of a sprinkler park.

Councilman Gallman stated that this topic was addressed at the Stephen Sampson Center Block Watch meeting. He continued that he did speak to Mrs. Brown regarding the water park. He stated further that for the last five years, the swimming pool was in disrepair and the Recreation Department had a hard time to get it up and running. Councilman Gallman stated he could not ask the taxpayers to "foot" the bill for the repairs.

Mrs. Katie Hall spoke regarding the need for the swimming pool because all of the children need to know how to swim. She continued that the pool has been at the center for a long time.

Council President Cuesta stated that this is a concern.

Ms. Melissa Quinn, 507 Spencer Street, stated that the Director of the Mickey Walker Center, verbally attacked Mrs. Brown. She continued that Mrs. Brown stayed calm, but the Director continued screaming at her.

Ms. Quinn stated that everything that “we as care parents” do is very positive. She continued that they held a great event at the Center that day and the Director verbally attacked everyone that was there after the event.

Mr. Perkins, 322 Emma Street, spoke to the closing of the Mickey Walter Center’s pool, stating that for years children have used that pool during the summer. He continued that this is a neighborhood pool and now the children are expected to go to Bayway and use that pool.

Mr. Abdel Elgendy, 435-552 U.S. Route 1 & 9, spoke to the street vacation of Hetfield Avenue. He continued that it is “unfair and unjust” the way the subdivision was done. He stated further that the Construction Department did not do anything regarding the right-of-way and he has been treated unfairly.

Ms. Salvador, an Elizabeth resident, stated that she was at the Center when the Director was screaming at Mrs. Brown.

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

Council President Cuesta announced that the next business in order would be a public hearing on **Ordinance No. 4161**, 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.

This ordinance was adopted on its first reading at the meeting of City Council held on **September 28, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **October 28, 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. 4164**, entitled:

AN ORDINANCE TO VACATE A PORTION OF HETFIELD AVENUE IN THE CITY OF ELIZABETH, COUNTY OF UNION, STATE OF NEW JERSEY.

This ordinance was adopted on its first reading at the meeting of City Council held on **October 12, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **October 28, 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. 4165**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENVIRONMENTAL ENGINEERING AND REGULATORY COMPLIANCE SERVICES FOR THE CITY OF ELIZABETH AND APPROPRIATING \$2,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,900,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **October 12, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **October 28, 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. 4166**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE INSTALLATION OF TRAFFIC LIGHTS AND RECONSTRUCTION OF INTERSECTIONS IN AND FOR THE CITY OF ELIZABETH AND APPROPRIATING \$1,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$950,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **October 12, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **October 28, 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. 4167**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF STREET SWEEPERS IN AND FOR THE CITY OF ELIZABETH AND APPROPRIATING \$400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$380,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

This ordinance was adopted on its first reading at the meeting of City Council held on **October 12, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **October 28, 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. 4168**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR MARLYNE E. PITTMAN, 452 EAST JERSEY STREET, ELIZABETH, NEW JERSEY 07206.

This ordinance was adopted on its first reading at the meeting of City Council held on **October 26, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **November 1, 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. 4171**, entitled:

AN ORDINANCE TO AMEND CHAPTER 10.08.020 OF THE CODE OF THE CITY OF ELIZABETH TO ESTABLISH A THREE-WAY STOP AT THE INTERSECTION OF JACKSON AVENUE AND FAIRMOUNT AVENUE.

This ordinance was adopted on its first reading at the meeting of City Council held on **October 26, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **November 1, 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 order of business would be a public hearing for the Fiscal Year 2011 Municipal Budget in the amount of \$209,066.746.01; Fiscal Year 2011 Sewer Utility Budget in the amount of \$19,000,000.00, and Fiscal Year 2011 Capital Budget in the amount of \$48,220,589.00, which was introduced on September 14, 2010 and published in the Star Ledger issue of October 22, 2010.

Council President Cuesta asked if there was any one present who wished to speak either for or against the adoption of the Budget.

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 October 28, 2010, from the Business Administrator recommending the award of a contract to Airgas East, 490 Stelton Road, Piscataway, N.J., for the rental of oxygen cylinders for the Police Department, Ambulance Service Bureau, Fire Department and Public Works Department for the period October 10, 2010 through February 28, 2011, at a cost not to exceed \$8,000.00.
Which was received.

By the Clerk:

Letter dated October 28, 2010, from the Business Administrator recommending the award of a contract to J & M National Spring Company, 50 Branford Street, Newark, N.J., for maintenance and repair of heavy duty vehicles for various departments for the period October 19, 2010 through February 29, 2012, at a cost not to exceed \$100,000.00.
Which was received.

By the Clerk:

Letter dated October 28, 2010, from the Business Administrator recommending the award of a contract to Triangle Communications, LLC, 265 Main Avenue, Stirling, N.J., for eleven (11) Data 911 Mobile Data Systems for the Police Department, at a total cost of \$62,508.00.
Which was received.

By the Clerk:

Letter dated October 29, 2010, from the Business Administrator recommending the award of a contract to Summit Transmission Brake & Exhaust, Inc., 39 Milltown Road, Union, N.J., for repair services for motor vehicles for various departments for the period October 27, 2010 through October 27, 2012, at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated October 29, 2010, from the Business Administrator recommending the award of a contract to National Terminal, Inc., 175 Orange Street, Newark, N.J., for the purchase of gasoline for the Public Works Marina for the period October 1, 2010 through March 31, 2011, at a cost not to exceed \$75,000.00.
Which was received.

By the Clerk:

Letter dated October 29, 2010, from the Business Administrator requesting that City Council consider authorizing the proper City officials to accept the award of the Federal Fiscal Year 2010 Homeland Security Emergency Management Performance Grant Program Sub-grant in the amount of \$10,000.00 with matching funds from the City of Elizabeth, Office of Emergency Management, in the amount of \$10,000.00.
Which was received.

By the Clerk:

Letter dated October 29, 2010, from the Business Administrator recommending the award of a contract to Nextel Communications of the Mid Atlantic, Inc., 2001 Edmund Halley Drive, Reston, VA, for the purchase of wireless devices and services for various departments for the period November 1, 2010 through April 30, 2011, at a cost not to exceed \$75,000.00.
Which was received.

~~NOVEMBER 3, 2010~~

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By the Clerk:

Letter dated October 29, 2010, from the Business Administrator recommending the award of a contract to Motorola Communications & Electronics, Inc., P.O. Box 305, Bordentown, N.J., for the purchase of communications equipment and accessories for various departments for the period November 1, 2010 through July 31, 2011, at a cost not to exceed \$350,000.00.

Which was received.

By the Clerk:

Letter dated October 29, 2010, from the Business Administrator recommending the award of a contract to Language Line Services, Inc., One Lower Ragsdale Drive, Building 2, Monterey, CA, for Telephone Interpreter Service for the Police Department and the Municipal Court Division for the period November 1, 2010 through October 31, 2011, at a cost not to exceed \$30,000.00.

Which was received.

By the Clerk:

Letter dated October 29, 2010, from the Business Administrator recommending the award of a contract to Lawson Products, Inc., 530 Palmer Farm Drive, Yardley, PA, for auto parts for heavy duty vehicles for various departments for the period October 29, 2010 through March 17, 2012, at a cost not to exceed \$50,000.00.

Which was received.

By the Clerk:

Letter dated October 21, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/refund/credit an over billing of taxes for the 2010 Tax Year on the property located at 441-449 Madison Avenue in the total sum of \$3,719.29.

Which was received.

By the Clerk:

Letter dated November 3, 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 November 3, 2010, from the Chief Financial Officer advising that an application is required to be filed with the Local Finance Board pertaining to two Refunding Bond Ordinances for the issuance of Sewer Utility Refunding Bonds in an amount not to exceed \$2,800,000.00 and General Improvement Refunding Bonds in an amount not to exceed \$3,000,000.00, to be introduced at the Regular Meeting to be held on November 9, 2010.

Which was received.

By the Clerk:

Letter dated November 3, 2010, from the Chief Financial Officer requesting that City Council consider the approval of a General Improvement Refunding Bond Ordinance for the refunding of the 2001 General Improvement Bonds not to exceed \$3,000,000.00.

Which was received.

By the Clerk:

Letter dated November 3, 2010, from the Chief Financial Officer requesting that City Council consider the approval of a Sewer Utility Refunding Bond Ordinance for the refunding of the 2001 Sewer Utility Bonds and 2001 Sewer Utility Refunding bonds not to exceed \$2,800,000.00.

Which was received.

By the Clerk:

Letter dated October 29, 2010, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the 2010 Union County Recycling Enhancement Grant to expand, enhance and improve recycling opportunities in the City of Elizabeth in an amount not to exceed \$20,000.00.

Which was received.

By the Clerk:

Letter dated November 1, 2010, from the Director of Public Works requesting permission to have liens placed against the properties listed on Schedule A attached hereto and made a part hereof in the amount of \$6,330.33.

Which was received.

By the Clerk:

Letter dated October 19, 2010, from New Jersey Transit, One Penn Plaza East, Newark, N.J., recommending the relocation of a Bus Stop from along North Avenue, eastbound, on the southerly side of Hazard Place to along North Avenue, eastbound, on the southerly side of Kilsyth Road.

Which was received.

By the Clerk:

Letter dated October 25, 2010, from the Polish Legion of American Veterans, Post 91, requesting of your Honorable Body a commendation recognizing their 65th Anniversary on Sunday, November 7, 2010.

Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter November 9, 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, November 5, 2010.

Which was received.

By the Clerk:

Letters dated October 28, 2010, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of July, 2010, and Statement of Bank Balances and Investments as of July 31, 2010 and Receipts and Disbursements for the month of August, 2010, and Statement of Bank Balances and Investments as of August 31, 2010.

Which was received.

By the Clerk:

Minutes: Fair Rental Housing Board, September 15, 2010 .

Which was received.

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ORDINANCES ON FIRST READING

Council President Cuesta announced that the next business in order would be the introduction of **Ordinance No. 4172** , which was seconded by Councilman Keenan, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BEATRIZ CARABAJAL, 142 RACE STREET, ELIZABETH, NEW JERSEY 07202.

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, Cedeno, Gallman, Mazza, and President Cuesta - 9

NEGATIVE: None

Council President Cuesta announced that public notice will be published fixing Tuesday, November 23, 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 Ordinance No. 4172, adopted on first reading.

Council President Cuesta announced that the next business in order would be the introduction of **Ordinance No. 4173**, which was seconded by Councilman Keenan, entitled:

REFUNDING BOND ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL IMPROVEMENT BONDS OF THE CITY AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,000,000 REFUNDING BONDS OF THE CITY OF ELIZABETH FOR FINANCING THE COST THEREOF

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, Cedeno, Gallman, Mazza, and President Cuesta - 9

NEGATIVE: None

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Council President Cuesta announced that the next business in order would be the introduction of **Ordinance No. 4174**, which was seconded by Councilman Keenan, entitled:

REFUNDING BOND ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN SEWER UTILITY BONDS OF THE CITY AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$2,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,800,000 REFUNDING BONDS OF THE CITY OF ELIZABETH FOR FINANCING THE COST THEREOF

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, Cedeno, Gallman, Mazza, and President Cuesta - 9

NEGATIVE: None

Council President Cuesta announced that public notice will be published fixing Tuesday, December 14, 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. 4173 and 4174, 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. 4161**, which was seconded by Councilman Keenan:

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.

WHEREAS, Union County Improvement Authority (the "Authority") has been duly created by an ordinance of the Board of Chosen Freeholders (the "Board of Chosen Freeholders") of the County of Union, New Jersey (the "County"), as a public body corporate and politic of the State of New Jersey (the "State") pursuant to and in accordance with the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended and supplemented from time to time (the "Act"); and

WHEREAS, the Authority provided financing for the acquisition and renovation of an affordable residential development located at 380 Irvington Avenue, City of Elizabeth, Union County, New Jersey, Block 11, Lots 45 and 1199A, known as Oakwood Plaza (the "Project"); and

WHEREAS, the Project will provide dwelling accommodations for occupancy by persons and families of low and moderate income; and

WHEREAS, the Authority sold \$16,870,000 aggregate principal amount of County Guaranteed Revenue Bonds, Series 2009 (Oakwood Plaza -- Elizabeth Project) (Federally Taxable) dated June 24, 2009 (the "Refunded Bonds") to finance the Project, which Refunded Bonds would all mature prior to January 1, 2015; and

WHEREAS, the City of Elizabeth (the "City") had arranged a public private effort for this housing development in combination with the New Jersey Department of Community Affairs (NJDCa), where NJDCa was to provide payments in the amount of \$18 million, in \$4 million increments annually, but as a result of subsequent events, including NJDCa being unable to provide said payments, the project cannot currently support the present debt service schedule, which was predicated upon the receipt of said payments; and

WHEREAS, the County, City and CIS have request that the Authority restructure the debt service for a longer term to allow the project to be self supporting, and to allow for the receipt of such NJDCa funds and other grants over a longer period of time; and

WHEREAS, the Authority is desirous of assisting in the refinancing of the Project, to the extent permitted by law, as such assistance will assure the continued availability of dwelling accommodations for occupancy by persons and families of low and moderate income; and

WHEREAS, the Authority expects to obtain funds to assist the financing of the Project through the issuance of its bonds in an amount not to exceed \$20,000,000 **GUARANTEED**

MORTGAGE REVENUE REFUNDING BONDS, SERIES 2010 (OAKWOOD PLAZA-ELIZABETH) (the "Bonds") issued pursuant to a Bond Resolution to be adopted by the Authority entitled "RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF COUNTY GUARANTEED MORTGAGE REVENUE REFUNDING BONDS, SERIES 2010 (OAKWOOD PLAZA-ELIZABETH) (TAXABLE) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 IN CONNECTION WITH THE AUTHORITY'S REFINANCING OF A LOW AND MODERATE INCOME HOUSING PROJECT IN THE CITY OF ELIZABETH, COUNTY OF UNION AND AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND RELATED INSTRUMENTS ANNEXED THERETO, A TRUST INDENTURE AND RELATED INSTRUMENTS ANNEXED THERETO, A PURCHASE AGREEMENT AND RELATED INSTRUMENTS ANNEXED THERETO, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH" (the "Bond Resolution"); and

WHEREAS, in accordance with Section 13 ("Section 13") of the Act (N.J.S.A. 40:37A-56), prior to the issuance of the Bonds, the Authority shall make a detailed report with respect to such financing to the Board of Chosen Freeholders of the County, which report shall include copies or a description of, without limitation, the various financing documents; and

WHEREAS, in accordance with N.J.S.A 40A:5A-6 and N.J.S.A. 40:37A-80 the Authority shall make application, on behalf of the Authority, the County, and the City to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the "Local Finance Board") for the Local Finance Board's review of the financing, including, *inter alia*, the Bond Resolution, the County Guaranty Agreement, the County Guaranty, the City Deficiency Agreement, and Continuing Disclosure Agreements (the "Financing Documents"); and

WHEREAS, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the County Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds; and

WHEREAS, in order to induce the prospective purchasers of the Bonds to purchase same, the Bonds shall otherwise be secured by a guarantee ordinance adopted by the County unconditionally and irrevocably guaranteeing a portion of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

WHEREAS, in order to induce the County to unconditionally and irrevocably guarantee the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds, the City shall enter into a Deficiency Agreement with the Authority and the County

pursuant to which the City will make payment to the County for a portion, not to exceed \$10,000,000, of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds that may be paid by the County under the County Guarantee, and the City shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the City without limitation as to rate or amount to make such payment, all pursuant to Section 36 of the Act (N.J.S.A. 40:37A-79); and

WHEREAS, the City and the Authority believe: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the County and the City; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the County and the City and will not create an undue financial burden to be placed upon the Authority, the City or the County.

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 Mayor and the Chief Financial Officer of the City (collectively, the "Authorized Officer") are hereby each severally authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the City of the City Deficiency Agreement, to execute or acknowledge said financing document on behalf of the City. Upon the execution, acknowledgment and delivery of said City Deficiency Agreement, the City shall be unconditionally and irrevocably obligated to pay to the County such sums as necessary to reimburse the County for payments made under the County Guarantee, but not exceeding \$10,000,000, and accordingly, the City shall be unconditionally and irrevocably obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment thereof without limitation as to rate or amount when required under the provisions of applicable law. The full faith and credit of the City are hereby pledged for the full and punctual performance of the City Deficiency Agreement.

Section 2. The Clerk of the City is hereby authorized and directed, upon the execution or acknowledgment of the City Deficiency Agreement in accordance with the terms of Section 1 hereof, to attest to the Authorized Officer's execution or acknowledgment of such document, and is hereby further authorized and directed to thereupon affix the seal of the City to such documents.

Section 3. The Mayor and the Chief Financial Officer of the City (collectively, the "Authorized Officer") are hereby each severally authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the City of such other Financing Documents as necessary, to execute or acknowledge said financing documents on behalf of the City.

Section 4. The Clerk of the City is hereby authorized and directed, upon the execution or acknowledgment of such other Financing Documents as necessary in accordance with the terms of Section 3 hereof, to attest to the Authorized Officer's execution or acknowledgment of such documents, and is hereby further authorized and directed to thereupon affix the seal of the City to such documents

Section 5. Upon the execution or acknowledgment and attestation of, and if required, the placing of the seal on the City Deficiency Agreement, and such other Financing Documents, as necessary as contemplated herein, the Authorized Officer is hereby authorized and directed to (i) deliver the fully executed or acknowledged, attested and sealed documents to the other parties thereto and (ii) perform such other actions as the Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 5. The Municipal Council of the City hereby authorizes the performance of any act, the execution or acknowledgment and delivery of any other document, instrument or closing certificates (collectively the "Closing Certificates"), which the Authorized Officer deems necessary, desirable or convenient in connection with this contemplated transaction, and the Municipal Council hereby directs the Authorized Officer to execute or acknowledge, and cause the Clerk of the City to attest and affix the seal to such Closing Certificates, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such persons. Such Closing Certificates shall include, without limitation, (a) a determination that any information provided by the City in connection with the preparation and distribution of (i) any preliminary official statement or supplement with relation to the Bonds is "deemed final" for the purposes and within the meaning of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934, as amended ("Rule 15c2-12") and (ii) any official statement or supplement with relation to the Bonds constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that the City's Continuing Disclosure Agreement complies with Rule 15c2-12, (c) a determination that any information provided by or on behalf of the City or relating to the City, the Project, the Financing Documents or the transactions contemplated thereby in connection with the preparation and distribution of any such Preliminary Official Statement or the Official Statement complies with Section 10 and Rule 10b-5 of the Securities Exchange Act, and (d) any representations, warranties, covenants, certificates or instruments required by any issuer of a municipal bond insurance policy or any other form of credit enhancement securing all or a portion of the Bonds, or the issuer of a rating on all or a portion of the Bonds.

Section 6. A public hearing shall be held on this ordinance on November 9, 2010 2010 at Municipal Council Chambers, City Hall, Elizabeth, New Jersey.

Section 7. The City Clerk is hereby directed to publish and post notice of this ordinance as required by law.

Section 8. Upon the adoption hereof, the City Clerk shall forward certified copies of this ordinance to the Mayor, Chief Financial Officer, City Attorney, Bond Counsel to the City, the Authority, and Bond Counsel to the Authority.

Section 9. This ordinance shall take effect at the time and in the manner prescribed 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 23, 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 **October 28, 2010.**

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

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

NEGATIVE: None

Councilman Keenan **MOVED** to **REMOVE** from the **TABLE** Ordinance No. 4163, which had been **TABLED** at the October 26, 2010 City Council meeting, seconded by Council President Cuesta,

And carried unanimously.

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4163**, which was seconded by Councilman Keenan:

AN ORDINANCE TO AMEND ORDINANCE NO. 3927, ENTITLED AN ORDINANCE TO AMEND ORDINANCE NO. 3250 ENTITLED AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF ELIZABETH AND HAWKE ASSOCIATES FOR PREMISES LOCATED AT 268 COMMERCE PLACE FOR A COURTROOM AND ANCILLARY OFFICES FOR A TEN (10) YEAR PERIOD WITH AN OPTION TO RENEW FOR AN ADDITIONAL TEN (10) YEARS.

WHEREAS, Ordinance No. 3250 authorized a lease agreement with Hawke Associates for premises located at 268 (sic) 208 Commerce Place, Elizabeth, New Jersey for use as a courtroom and ancillary offices for a ten (10) year period with an option to renew for an additional ten (10) years; and

WHEREAS, Ordinance No. 3250 was amended by Ordinance No. 3927 to change the name of the owners/landlord of the leased premises from Hawke Associates GP to 208 Commerce, LLC and to correct a scribners error referring to the premises as 268 Commerce Place, Elizabeth, New Jersey instead of 208 Commerce Place, Elizabeth, New Jersey, the correct address; and

WHEREAS, the Business Administrator has requested that the lease agreement with 208 Commerce, LLC for premises located at 208 Commerce Place, Elizabeth, New Jersey be renewed on a month to month basis at a monthly rent of \$8,000.00; now, therefore, be it

BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF ELIZABETH that Ordinance No. 3250 as amended by Ordinance No. 3927 is amended as follows:

SECTION 1: The lease with 208 Commerce, LLC for premises 208 Commerce Place, Elizabeth, New Jersey (Municipal Court Annex) is renewed on a month to month basis at the rent of \$8,000.00 per month commencing October 1, 2010.

SECTION 2. - All other provisions of the lease agreement shall remain the same.

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 .

October 12, 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 **October 28, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4164** , which was seconded by Councilman Keenan:

AN ORDINANCE TO VACATE A PORTION OF HETFIELD AVENUE IN THE CITY OF ELIZABETH, COUNTY OF UNION, STATE OF NEW JERSEY.

BE IT ORDAINED BY THE CITY OF ELIZABETH:

SECTION 1. - The portion of Hetfield Avenue in the City of Elizabeth, County of Union and State of New Jersey described as follows is hereby vacated.

BEGINNING at the point of intersection of the northwesterly line of United States Highway 1 & 9, formerly New Jersey State Highway Route 25, 120.00 foot right-of-way and westerly sideline of Hetfield Avenue, 60.00 foot right-of-way, and from said point of beginning, running;

1. Along the westerly sideline of Hetfield Avenue N11°-10'- 00"E a distance of 217.62 feet to a point; thence
2. S78°-50'-00" E a distance of 60.00 feet to a point in the easterly sideline of Hetfield Avenue; thence
3. Along the easterly sideline of Hetfield Avenue S11°-10' -00" W a distance of 117.15 feet to a point in the northwesterly line of United States Highway 1 & 9, formerly New Jersey State Highway Route 25; thence
4. Southwesterly along said northwesterly line of United States Highway 1 & 9, formerly New Jersey State Highway Route 25 on a curve to the right having a radius of 1140.00 feet and an arc length of 117.08 feet to the point and place **BEGINNING.**

The above description is transposed from a Right-Of-Way Vacation Plan prepared for Hetfield Avenue prepared by Saladin Associates, P.C., dated May 13, 2009 and last Revised September 30, 2009.

SECTION 2. - The City of Elizabeth shall, within sixty (60) days after this Ordinance becomes effective, file a certified copy hereof under the seal of the City of Elizabeth, together with a copy of the Proof of Publication hereof, in the Office of the County of Union County.

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.

Councilman Gonzalez stated that this ordinance is to vacate a portion of Hetfield Avenue and has nothing to do with the subdivision.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held .
October 12, 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 **October 28, 2010.**

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

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

NEGATIVE: None

EXCUSED: GROVA - 1

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4165**, which was seconded by Councilman Keenan:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR ENVIRONMENTAL ENGINEERING AND REGULATORY COMPLIANCE SERVICES FOR THE CITY OF ELIZABETH AND APPROPRIATING \$2,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,900,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$2,000,000 including the sum of \$100,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,900,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is to provide for environmental engineering and regulatory compliance services for various properties, including, but not limited to, ongoing remedial obligations required by NJDEP directives, including demolition and/or soil removal, and including all other work and materials necessary therefor and incidental thereto.

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

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

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



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

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

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

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

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

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

debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,900,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$1,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **October 12, 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 **October 28, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4166**, which was seconded by Councilman Keenan:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE INSTALLATION OF TRAFFIC LIGHTS AND RECONSTRUCTION OF INTERSECTIONS IN AND FOR THE CITY OF ELIZABETH AND APPROPRIATING \$1,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$950,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$1,000,000 including the sum of \$50,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$950,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the installation of traffic lights and reconstruction of roads and intersections of West Jersey Street, Elizabethtown Plaza, Union Street and the intersection of Broad Street at Caldwell Place, and including all other work and materials necessary therefor and incidental thereto.

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

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

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



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

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

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

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

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

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



debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$950,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **October 12, 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 **October 28, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4167**, which was seconded by Councilman Keenan:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF STREET SWEEPERS IN AND FOR THE CITY OF ELIZABETH AND APPROPRIATING \$400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$380,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Elizabeth, in the County of Union, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$400,000 including the sum of \$20,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of two (2) mechanical street sweepers, and including all other work and materials necessary therefor and incidental thereto.

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

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

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

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

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

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

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

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

notes provided in this bond ordinance by \$380,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

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

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

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

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

Councilman Grova thanked the Administration for finding a way to obtain a sweeper for the Public Works Department. He continued that Public Works has to get into the "habit" of taking inventory of their fleet because he does not know if the City has a decent fleet. He stated further that he saw a sweeper today and it was in "horrible" condition.

Councilman Gallman stated that a five year turnaround is a good ratio for equipment. He suggested that inventory be done on all vehicles.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held .
October 12, 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 **October 28, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4168** , which was seconded by Councilman Keenan:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR MARLYNE E. PITTMAN, 452 EAST JERSEY STREET, ELIZABETH, NEW JERSEY 07206.

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

SECTION 1. - A personalized handicapped parking space for Marlyne E.

Pittman is established in front of 452 East Jersey Street, Elizabeth, New Jersey 07206 as follows pursuant to the recommendation of the Elizabeth Police Director: along the South curb line of East Jersey Street beginning at a point 132' East of Fifth Street and continuing 22' East thereof.

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **October 26, 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 **November 1, 2010.**

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

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

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4171**, which was seconded by Councilman Keenan:

AN ORDINANCE TO AMEND CHAPTER 10.08.020 OF THE CODE OF THE CITY OF ELIZABETH TO ESTABLISH A THREE-WAY STOP AT THE INTERSECTION OF JACKSON AVENUE AND FAIRMOUNT AVENUE.

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

SECTION 1. - That Chapter 10.08.020, of the Code of the City of Elizabeth be amended to **add** the following:

A thee-way stop at the intersection of Jackson Avenue and Fairmount Avenue with stop signs to be erected at the Southeasterly corner of Jackson Avenue, at the southwesterly corner of Fairmount Avenue, and at the northeasterly corner of Fairmount Avenue.

SECTION 2. All ordinances and 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 and upon approval by the Commissioner of the State Department of Transportation as provided by law.

Councilman Gallman believes this "Three Way Stop" will prevent future accidents and asked for the support of his colleagues.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **October 12, 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 **October 28, 2010.**

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

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

NEGATIVE: None

NEW BUSINESS

37

~~November 9, 2010~~

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 \$111,893,387.40, 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
	Grants:		
41-827 -11	Greening Union County Grant		7,450.00
41-828-11	Greening Union County Grant-Local Share		7,450.00
41-829-11	Kids Recreation Trust Fund		200,000.00
41-830-11	Kids Recreation Trust Fund-Local Share		183,510.00
41-831-11	NJDOT Traffic Safety North Ave. & Broad St.		300,000.00
41-832-11	Drunk Driving Enforcement Grant 2009	61,984.94	
41-833-11	Dept of Homeland Security Emergency Mg. Grant 2010	10,000.00	
41-834-11	Dept of Homeland Security Emergency Mg Grant 2010-Local	10,000.00	
	subtotal	81,984.94	698,410.00
	TOTAL		780,394.94

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, Cedeno, Gallman, Mazza, and President Cuesta - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS the resolution adopted on October 26, 2010, approving the Fiscal Year 2011 Budget Amendments is hereby RESCINDED.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Jackus, Grova,
Gonzalez, Keenan, Ceden0, Gallman, Mazza,
and President Cuesta - 9

NEGATIVE: None

City of Elizabeth

County of Union

WHEREAS, the local municipal budget for the fiscal year 2011 was approved on the 14th day of September 2010, and,

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

THEREFORE BE IT RESOLVED, by the City Council of the City of Elizabeth, County of Union, that the following amendments to the approved budget of fiscal year 2011 be made:

~~RECORDED VOTE~~ AYES

NAYS {

ABSTAINED: {

8. General Appropriations			
(A) Operations - within "CAPS"			
(E) Deferred Charges and Statutory Expenditures			
Overexpenditure-Trust Fund CDBG Reserve Program Income	0.00		71,035.04
(2) Statutory Expenditures			
Contributions to Public Employees Retirement System	3,000,000.00		3,164,973.00
Social Security	3,600,000.00		3,550,000.00
Contributions to Police & Fireman's Retirement System (PFRS)	15,000,000.00		15,255,634.00
Total Deferred Charges and Statutory Expenditures Municipal Within "CAPS"	22,208,000.00		22,649,642.04
(H1) Total General Appropriations for Municipal Purposes within "CAPS"	167,261,644.00		167,703,286.04
(A) Operations Excluded from CAPS			
Matching Funds-City's Share	500,000.00		299,040.00
Total Other Operations Excluded from CAPS	6,927,452.00		6,726,492.00
Total Public & Private Programs Offset by Revenues:			
Body Armor 2010	0.00		27,702.22
Greening Union County Grant	0.00		7,450.00
Greening Union County Grant-Local Share	0.00		7,450.00
Kids Recreation Trust Fund	0.00		200,000.00
Kids Recreation Trust Fund-Local Share	0.00		183,510.00
NJDOT Traffic Safety North Ave. & Broad St.	0.00		300,000.00

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Drunk Driving Enforcement Grant 2009 SFY		0.00	61,984.94
Department of Homeland Security Emergency Management Grant 2010		0.00	10,000.00
Department of Homeland Security Emergency Management Grant 2010-Local Share		0.00	10,000.00
Total Public & Private Programs Offset by Revenues		11,290,058.03	12,098,155.19
Total Operation - Excluded from "CAPS"		18,217,510.03	18,824,647.19
Detail:			
Salaries and Wages		2,361,016.00	2,514,035.98
Other Expenses		15,856,494.03	16,310,611.21
(HI-2) Total General Appropriation for Municipal Purposes excluded from "CAPS"		31,328,877.24	31,936,014.40
(O) Total General Appropriations - Excluded from "CAPS"		31,328,877.24	31,936,014.40
(L) Subtotal General Appropriations (Items (H-1 and (O))		198,590,521.24	199,639,300.44
(M) Reserve for Uncollected Taxes		10,476,224.77	10,500,695.70
9. Total General Appropriations		209,066,746.01	210,139,996.14
Summary of Operations			
(A) Operations		145,053,644.00	145,053,644.00
(a) Operations Excluded from "CAPS"			
Other Operations		6,927,452.00	6,726,492.00
Public and Private Programs offset by Revenues		11,290,058.03	12,098,155.19
Total Operations excluded from "CAPS"		18,217,510.03	18,824,647.19
(M) Reserve for Uncollected Taxes		10,476,224.77	10,500,695.70
Total General Appropriations		209,066,746.01	210,139,996.14

RESOLUTION OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

WHEREAS, the City of Elizabeth, in the County of Union, New Jersey (the "City") desires to make application to the Local Finance Board for its approval pursuant to N.J.S.A. 40A:2-51 of two (2) refunding bond ordinances for the issuance of refunding bonds to refund certain outstanding bonds of the City;

WHEREAS, the City believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the City's bond counsel, financial advisor and auditor, along with other representatives of the City, are hereby authorized to prepare such application and to represent the City in matters pertaining thereto.

Section 2. The Clerk of the City is hereby directed to file copies of the proposed ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its approval as provided by the applicable New Jersey Statute.

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION RE: AUTHORIZATION FOR THE CITY OF ELIZABETH TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2010 OF DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING

WHEREAS, the City of Elizabeth Office of Emergency Management has been awarded State Homeland Security Grant Program Subgrant CFDA#97.042, Award #2010-P120-2004 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of \$20,000.00, including \$10,000.00 Federal Award and \$10,000.00 Local Matching Funds, is for the purpose of enhancing the City of Elizabeth's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award #2010-EP-EO-0047; and

WHEREAS, the City of Elizabeth Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of \$10,000.00 which the City of Elizabeth, Office of Emergency Management adequately satisfies through the 2010 City of Elizabeth approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the City of Elizabeth, here with accepts the award of the FFY10 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of \$10,000 Federal Funds from the New Jersey State Police, Office of Emergency Management in the like amount of \$10,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of \$10,000.00 is hereby appropriated under the caption FFY10 Homeland Security Emergency Management Performance Grant; and

BE IF FURTHER RESOLVED that the City's Business Administrator, Chief Financial Officer and Coordinator of Emergency Management are authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management, the Director of the Division of Local Government Services.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent have recommended the award of a contract be made to **AIRGAS EAST, 490 Stelton Road, Piscataway, New Jersey 08854** for the rental of Oxygen Cylinders for the Police Department, Ambulance Service Bureau, Fire Department and Public Works Department for the period of October 10, 2010 through February 28, 2011 at a cost not to exceed \$8,000.00 under their State Contract #68269; and

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

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

RESOLVED, by the City Council of the City of Elizabeth that **AIRGAS EAST, 490 Stelton Road, Piscataway, New Jersey 08854** is hereby awarded a contract for the rental of Oxygen Cylinders for the Police Department, Ambulance Service Bureau, Fire Department and Public Works Department for the period of October 10, 2010 through February 28, 2011 at a cost not to exceed \$8,000.00 under their State Contract #68269.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent have recommended the award of a contract be made to **J & M National Spring Company, 50 Branford Street, Newark, New Jersey 07114** for Maintenance and Repair of Heavy Duty Vehicles for Various Departments for the period of October 19, 2010 through February 29, 2012 at a cost not to exceed \$100,000.00 under their State Contract #73495; and

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

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

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

RESOLVED, by the City Council of the City of Elizabeth that **J & M National Spring Company, 50 Branford Street, Newark, New Jersey 07114** is hereby awarded a contract for Maintenance and Repair of Heavy Duty Vehicles for Various Departments for the period of October 19, 2010 through February 29, 2012 at a cost not to exceed \$100,000.00 under their State Contract #73495.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent have recommended the award of a contract be made to **TRIANGLE COMMUNICATIONS, LLC, 265 Main Avenue, Stirling, New Jersey 07980** for Eleven (22) Data 911 Mobile Data Systems for the Police Department at a total cost of \$62,508.00 under their State Contract #53771; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-03061, charging the amount of \$62,508.00 to Account No. 1-21-56-130, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it ,

RESOLVED, by the City Council of the City of Elizabeth that **TRIANGLE COMMUNICATIONS, LLC, 265 Main Avenue, Stirling, New Jersey 07980** is hereby awarded a contract for Eleven (22) Data 911 Mobile Data Systems for the Police Department, at a total cost of \$62,508.00 under their State Contract #53771.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent have recommended the award of a contract be made to **SUMMIT TRANSMISSION BRAKE & EXHAUST, INC., 39 Milltown Road, Union, New Jersey 08083** for Repair Services for Motor Vehicles for various departments for the period of October 27, 2010 through October 27, 2012 at a cost not to exceed \$50,000.00 under their State Contract #76451; and

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

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

RESOLVED, by the City Council of the City of Elizabeth that **SUMMIT TRANSMISSION BRAKE & EXHAUST, INC., 39 Milltown Road, Union, New Jersey 08083** is hereby awarded a contract for Repair Services for Motor Vehicles for various departments for the period of October 27, 2010 through October 27, 2012 at a cost not to exceed \$50,000.00 under their State Contract #76451.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent have recommended the award of a contract be made to **NATIONAL TERMINAL INC., 175 Orange Street, Newark, New Jersey 07103** for the purchase of Gasoline for the Public Works Marina for the period October 1, 2010 through March 31, 2011 at a cost not to exceed \$75,000.00 under their State Contract #A41868; and

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

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

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

RESOLVED, by the City Council of the City of Elizabeth that **NATIONAL TERMINAL INC., 175 Orange Street, Newark, New Jersey 07103** is hereby awarded a contract for **07103** for the purchase of Gasoline for the Public Works Marina for the period October 1, 2010 through March 31, 2011 at a cost not to exceed \$75,000.00 under their State Contract #A41868 .

Which was adopted by the following vote:

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

NEGATIVE: None



BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent have recommended the award of a contract be made to **NEXTEL COMMUNICATIONS of the MID ATLANTIC, INC., 2001 Edmund Halley Drive, Reston, Virginia 20191** for the purchase of Wireless Devices and Services for various departments for the period of November 1, 2010 through April 30, 2011 at a cost not to exceed \$75,000.00 under their State Contract #64429; and

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

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

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

RESOLVED, by the City Council of the City of Elizabeth that **NEXTEL COMMUNICATIONS of the MID ATLANTIC, INC., 2001 Edmund Halley Drive, Reston, Virginia 20191** is hereby awarded a contract for the purchase of Wireless Devices and Services for various departments for the period November 1, 2010 through April 30, 2011 at a cost not to exceed \$75,000.00 under their State Contract #64429.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent have recommended the award of a contract be made to **MOTOROLA COMMUNICATIONS & ELECTRONICS, INC., P. O. Box 305, Bordentown, New Jersey 08505-0305** for the purchase of Communications Equipment and Accessories for various departments for the period of November 1, 2010 through July 31, 2011 at a cost not to exceed \$350,000.00 under State Contract #53804; and

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

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

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

RESOLVED, by the City Council of the City of Elizabeth that **MOTOROLA COMMUNICATIONS & ELECTRONICS, INC., P. O. Box 305, Bordentown, New Jersey 08505-0305** is hereby awarded a contract for the purchase of Communications Equipment and Accessories for various departments for the period of November 1, 2010 through July 31, 2011 at a cost not to exceed \$350,000.00 under State Contract #53804.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator, and the Purchasing Agent have recommended the award of a contract be made to **LANGUAGE LINE SERVICES, INC., One Lower Ragsdale Drive, Building 2, Monterey, CA 93940** for Telephone Interpreter Service for the Police Department for the Police Department and the Municipal Court Division for the period November 1, 2010 through October 31, 2011 under their State Contract #A58884; and

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

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

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

RESOLVED, by the City Council of the City of Elizabeth that **LANGUAGE LINE SERVICES, INC., One Lower Ragsdale Drive, Building 2, Monterey, CA 93940** is hereby awarded a contract for Telephone Interpreter Service for the Police Department and the Municipal Court Division for the period of November 1, 2010 through October 31, 2010 at a cost not to exceed \$30,000.00 under their State Contract #A58884.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract be made to **LAWSON PRODUCTS, INC., 530 Palmer Farm Drive, Yardley, PA 19067** for Auto Parts for Heavy Duty Vehicles for the various departments for the period of October 29, 2010 through March 17, 2012 at a cost not to exceed \$50,000.00 under their State Contract No. 73736; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract #68602, requiring approval by this Governing Body in accordance with the provisions of N.J.A.C. 5:34-1.2; now, therefore, be it

RESOLVED, that City Council of the City of Elizabeth hereby awards a contract to **LAWSON PRODUCTS, INC., 530 Palmer Farm Drive, Yardley, PA 19067** for Auto Parts for Heavy Duty Vehicles for the various departments for the period of October 29, 2010 through March 17, 2012 at a cost not to exceed \$50,000.00 under their State Contract No. 73736.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987,c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, the City of Elizabeth is committed to recycling and abiding by the Recycling Act; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that the City of Elizabeth authorizes Pasquale Vella, the City of Elizabeth Recycling Coordinator to endorse the submission of the 2010 Union County Enhancement Grant Application for an amount not to exceed \$20,000.00 to the Department of Engineering, Public Works & Facilities Bureau of Planning & Recycling to ensure that the application is properly filed. The grant must be dedicated to augmenting the City of Elizabeth's current recycling program, plans and budgets that can be customized to meet the City of Elizabeth's individual needs.

Which was adopted by the following vote:

- AFFIRMATIVE:** Perkins-Auguste, Jackus, Grova, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 9
- 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 11/01/2010 Total Amount: \$6,330.33.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, Madison Apartment Urban Renewal, LP is the owner of the property located at 441-49 Madison Ave (Tax Account #12 - 730), and

WHEREAS, An Added Assessment in the amount of \$52,700 assessed was placed on this property for renovations and alterations done in 2010 for four (4) months (CO Dated 8/4/2010) , and

WHEREAS, This property is under a PILOT Program, effective the date of the CO, and

WHEREAS, This resulted in an over billing for the 2010 Tax Year in the amount of \$3,719.29 (\$17,567 Pro-Rated Assessed Value x \$21.172 2010 Tax Rate) now, therefore, be it

RESOLVED, That the Tax Collector be authorized to cancel/refund/credit the total sum of \$3,719.29. This amount represents an over billing of taxes for the 2010 Tax Year.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a
handicapped parking space in front of **30 Florida Street, Elizabeth, New Jersey** as
follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Florida Street
beginning at a point 37' North of Merrit 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, Cedeno, Gallman, Mazza,
and President Cuesta - 9

NEGATIVE: None

CITY OF ELIZABETH
UNION COUNTY
NEW JERSEY

BE IT RESOLVED by the City Council of the City of Elizabeth,
County of Union, State of New Jersey.

That pursuant to N.J.S.A. 39:4-8(e) the following described location is
eliminated as bus stops:

Municipal Road

DELETED BUS STOP:

1. Along North Avenue, eastbound, on the southerly side thereof at:

- a. Hazard Avenue – far Side
Beginning at the easterly curb line of Hazard Avenue and extending
100' easterly therefrom.

That pursuant to N.J.S.A. 39:4-8(e) the following described location is
added as bus stop:

ADDED BUS STOP:

2. Along North Avenue, eastbound, on the southerly side thereof at:

- a. Kilsyth Road – Near Side
Beginning at the prolongation of the westerly curb line of Kilsyth
Road and extending 105' westerly therefrom.

That the proper City Officials of the City of Elizabeth will enforce the
needed traffic regulations governing the aforementioned bus stop locations and
provide the necessary police security to ensure the safety of the traveling public.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

60

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.	1-01-31-440	\$ 5,619.72
ELIZABETH TOWN GAS	1-01-31-446	\$ 7,738.63
FLEETCOR TECHNOLOGIES SERVICE	1-01-31-460	\$ 76,811.07
HESS CORP	1-01-31-430	\$ 50,230.56
NATIONAL FUEL OIL, INC.	1-01-31-447	\$ 6,886.74
NATIONAL TERMINAL, INC.	1-01-31-447	\$ 5,235.75
NEXTEL COMMUNICATIONS	1-01-31-440	\$ 3,042.50
PSE&G	1-01-31-430	\$ 61,889.63
SPRINT	1-01-31-440	\$ 110.39
USA MOBILITY	1-01-31-440	\$ 587.77
VERIZON	1-01-31-440	\$ 32,898.27
VERIZON CABS	1-01-31-440	\$ 188.50
VERIZON WIRELESS	1-01-31-440	\$ 587.49
VERIZON COMMUNICATIONS	1-01-31-440	\$ 553.31
VERIZON WIRELESS	1-01-31-440	\$ 15,576.59

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that the Polish Legion of American Veterans Post 91 will be celebrating their 65th anniversary on November 7, 2010; and

WHEREAS, this year will mark the 65th anniversary of the end of World War II; and

WHEREAS, among the members who are veterans of World War II are three post founders; Edward Faszczewski; Steven Gill and Michael J. Green; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth hereby expresses its heartfelt appreciation and congratulations to Polish Legion of American Veterans Post 91 as it celebrates its 65th anniversary and commends all of the veterans who have served our country; and be it

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of City Council and a certified copy be sent to the Polish Legion of American Veterans Post 91.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

62

WHEREAS, the City Council of the City of Elizabeth has advised that on November 8, 2010 a celebratory reception was held at the Newark Museum in Newark, New Jersey honoring **Brand New Day, Inc.**, for being selected as a Bank of America Neighborhood Excellence Initiative Award Winner; and

WHEREAS, **Brand New Day** will receive \$200,000.00 in core operating support over two years and in addition to the operating support, the Executive Director, Krishna Garlic and an emerging leader participate in a leadership development program during the first year of funding; and

WHEREAS, **Brand New Day, Inc.**, is the one of the proud recipients of the 2010 Bank of America Neighborhood Excellence Initiative Award its contributions to improving our community and making New Jersey better for all of us; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth congratulates the **Brand New Day, Inc.**, one of the recipients of the 2010 Bank of America Neighborhood Excellence Initiative Award for its contributions to improving our community and making New Jersey better for all of us and wishes **Brand New Day, Inc.**, continued success in all of their future endeavors for it will truly benefit the residents of the City of Elizabeth; and be it

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of City Council and a certified copy be sent to **Brand New Day, Inc.**, and Krishna Garlic, Executive Director.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that Stanley Neron, Supervisor of the City of Elizabeth's Youth Services is to be commended by Arise & Walk Ministries Foundation at their Tenth Annual Foundation Benefit Awards Dinner for the victims of Haiti; and

WHEREAS, on Friday, November 19, 2010, Stanley Neron will be acknowledged for his dedication and determination as the Coordinator for NJ4 Haiti; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth wishes to commend Stanley Neron, Supervisor of the City of Elizabeth's Youth Services for his dedication and commitment for the Tenth Annual Arise & Walk Ministries Foundation Benefit Awards Dinner for the victims of Haiti a success and encourages Stanley Neron to continue his future endeavors for the sake of humanitarianism; and be it

FURTHER RESOLVED that this expression of appreciation be recorded in full upon the minutes of City Council and a certified copy be sent to Stanley Neron.

Which was adopted by the following vote:

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

NEGATIVE: None

64

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth, New Jersey, has learned that Casimir Kowalczyk, former Councilman of the First Ward, has been named Veteran of the Year by the Polish Legion of American Veterans Post 91, now therefore be it

RESOLVED that the City Council of the City of Elizabeth congratulations for this honor and wishes him continued success in all his endeavors; now therefore be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of City Council and that a certified copy be forwarded to Mr. Casimir Kowalczyk.

Which was adopted by the following vote:

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

NEGATIVE: None

65

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth, New Jersey, has learned that the United Youth of New Jersey has celebrated their 15th anniversary, now therefore be it

RESOLVED that the City Council of the City of Elizabeth extends congratulations the United Youth of New Jersey and wishes them continued success in all their endeavors; now therefore be it

FURTHER RESOLVED that this resolution be spread in full upon the minutes of City Council and that a certified copy be forwarded to the United Youth of New Jersey.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Frances Rinaldo, 96; and

WHEREAS, born in Elizabeth, Mrs. Rinaldo was a lifelong resident; and

WHEREAS, she was a homemaker and a communicant of St. Anthony's R. C. Church; and

WHEREAS, Frances is survived by her daughter, Geraldine Rinaldo and her son, Matthew Rinaldo; her loving and adoring grandchildren, Alexis and Matthew R. Rinaldo and Jamie and Lindsey Kowalksy and great-grandson Ty Robert Davidson; also her brother, Richard Walano. Frances was predeceased by her loving husband; Matthew Rinaldo; her sister, Mildred Russo and brothers, Charles, Anthony, Michael and Pasquale Walano; now therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Frances Rinaldo 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.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Theresa (Paternoster) Damelio, 98; and

WHEREAS, Mrs. Damelio was born and resided in Elizabeth for 88 years, prior to moving to Bernardsville ten years ago; and

WHEREAS, she was a communicant of St. Anthony Church and a member of its Senior Citizens Society, and was a member of the Retired men's and ladies Club in the Peterstown section of Elizabeth; and

WHEREAS, Mrs. Damelio was predeceased by her husband, Charles Damelio, and a daughter, Rosemarie McKay. Surviving are her son, Louis Damelio and his wife, Colleen; a brother, Nufrio Paternoster; six grandchildren, Danielle Kelly, Jamison McKay, Erin Damelio, Casey McKay, Nicole Damelio, and Louis Damelio, Jr. and three great-grandchildren; now; therefore, be it

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

FURTHER RESOLVED that this expression of our sympathy 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.

Councilman Keenan moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Cuesta declared City Council adjourned at

8:25 p.m.

APPROVED

FRANK J. CUESTA
President of City Council

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