

PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
November 23, 2010
7:30 p.m.

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

Council President 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; ██████████
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 - ♡ 8

ABSENT: Jackus - 1

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

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

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

Council President Cuesta announced that Councilwoman Perkins-Auguste will make a presentation at this time.

Councilwoman Perkins-Auguste informed the public that on November 8, 2010, Brand New Day was awarded \$200,000.00 by Bank of America. She continued that at this time, when there is difficulty in finding funds, Krishna Garlic is a unique individual who was born in the Port and is still very much a part of this great City. Councilwoman Perkins-Auguste thanked her for her due diligence.

Ms. Garlic thanked City Council for their commendation, but recognized that this would not have been possible without the aid of the Mayor and City Council working with Brand New Day.

PUBLIC SPEAKING

Mr. Robert Davis, 45 Jacques Street, President, Senior Citizens Awareness, spoke regarding Ordinance No. 4169, to create a water park at the Mickey Walker Recreational Center. He believes that children need a swimming pool in order to learn to swim. He continued that he would like to see City Council agree to repair the swimming pool.

Mr. Steven Wallace, 921 Anna Street, spoke against rebuilding the swimming pool. He continued that there are other pools in the City that the children could utilize. Mr. Wallace presented a petition to Council because this pool has brought a "bad name" to the community and he does not want the pool.

Ms. Shirley Webb, 745 Pearl Street, Member, Senior Citizens Awareness and AARP, stated that the seniors would like to be able to use the swimming pool during the summer and there are seniors next door at the Senior Center. She continued that children need to learn to swim and it should be made available to the seniors.

Mr. Fred Hall, 447 Henry Street, stated that he has not seen a cost analysis for the repair of the swimming pool. He continued that the pool serves not only the residents in the area of the pool, but the entire City.

Mr. Hall queried to the definition of a Water Park vs. a Spray Park? He requested to have an engineer explain the cost and repairs of the swimming pool. He

stated further that he believes that it will not cost \$1,300,000.00 to repair the swimming pool.

A resident of 879 Mary Street stated that a lot of things have been happening and there needs to be more security at the pool. She continued that the police have been called at least twice a week and bottles, condoms, etc., have been found in and around the pool.

Ms. Charlotte Brown, 549 Walnut Street, stated that "there is a problem, but the problem is not a problem." She continued that there is no swimming pool in the 4th Ward, so children come from the 4th Ward and go to the 5th Ward to swim.

Ms. Barbara Shannon, 665 North Broad Street, stated that a lot of people utilize that pool. She continued that they can have more programs and activities at the Mickey Walker Center.

Miss Celeste, an Elizabeth youth, stated that after summer camp she would use the pool during the summer and the pool should stay open.

Ms. Evelyn Salvador, Mary Street, stated that the City should keep the pool open. She continued that a water park is just water sprinkling out, but children should learn to swim.

Melissa Guinn, 507 Spencer Street, stated that her daughter has been in the summer program and uses the pool. She continued that to take away this activity a lot of youth will have nothing to do. She stated further that to take away the pool will add to the problem.

Ms. Guinn stated that people who are living in poverty to begin with cannot afford to take their children to amusement parks, etc.

Ms. Shannon, Reid Street, stated that her son uses the pool and the City should consider repairing the pool and to keep it open.

Ms. Ruthie Page, 525 Flora Street, stated she hears of money issues, but the residents need that pool and the residents need to meet with the Councilman and come to a decision.

Mrs. Katie Hall, 474 Henry Street, stated that every child needs to learn how to swim. She continued that last year, the pool was closed, but she would like to see a picture of the proposed water park. She stated further that small children will use a

water park, but older children will not use a water park. Mrs. Hall stated that she will “love” to see the pool stay open. She continued that as far as problems, the problems can be solved. She asked City Council to consider keeping the pool open.

Mr. Ernest Perkins, 922 Emma Street, stated that he enjoyed watching the children going to the pool. He stated further that there should be a “Learn to Swim” program.

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. 4169**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF A WATER PARK LOCATED IN THE CITY OF ELIZABETH AND APPROPRIATING \$1,300,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,235,000 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 26, 2010**.

The Notice of Public Hearing was published in the Star Ledger issue of **November 11, 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.

Mr. Fred Hall requested a cost analysis because he believes that \$1,300,000 could build three pools. He continued that these figures are way off because a pool will cost “tops”\$500,000.00. He stated further that \$1.3 million dollars is a lot to spend on a sprinkler water park.

Mr. Hall stated further that the City needs to contract commercial contractors to get estimates. He continued that the City get a cost comparative and cost efficient uses out of the pool. Mr. Hall stated that the City needs to supply a true cost analysis for a 47 by 85 foot pool. He continued that this a community pool and the City did a poor job on maintaining this pool.

Mr. Hall suggested to slow this process down and to do more research. He continued that the City will always have problems until the City comes up with something constructive.

Ms. Ella Perkins, 922 Emma Street, stated that she has been watching and looking at each Council member and the 5th Ward Councilman is reading a newspaper and ripping papers.

Mrs. Charlotte Brown, United Youth, stated that the older children will not participate in a sprinkler park. She continued that she is at the Recreation Center six days a week and she cannot stock her head in a sprinkler park. She stated further that she takes her children to Keansburg every year to the large water park.

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. 4170**, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY PROVIDING FOR THE NORTH AVENUE COMBINED SEWER MODIFICATIONS PROJECT, AND APPROPRIATING \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE COST THEREOF

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 11, 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. 4172**, entitled:

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

This ordinance was adopted on its first reading at the meeting of City Council held on **November 9, 2010.**

The Notice of Public Hearing was published in the Star Ledger issue of **November 15, 2010.**

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

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

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 12, 2010, from the Business Administrator requesting that your Honorable Body consider supporting the Over the Limit Under Arrest 2010 Year End Statewide Crackdown Program sponsored by the New Jersey Division of Highway Traffic Safety. Which was received.

By the Clerk:

Letter dated November 12, 2010, from the Business Administrator requesting authorization for the proper City officials to apply for and accept the Over the Limit Under Arrest 2010 Year End Statewide Crack Down Grant sponsored by the New Jersey Division of Highway Traffic Safety in the amount of \$5,000.00. Which was received.

By the Clerk:

Letter dated November 12, 2010, from the Business Administrator requesting authorization for the proper City officials to apply for and accept the Drunk Driving Enforcement Fund Application provided by the New Jersey State Division of Highway Traffic Safety in the amount of \$11,648.95. Which was received.

[REDACTED]

[REDACTED]

By the Clerk:

Letter dated November 12, 2010, from the Business Administrator recommending the award of a contract to Snap On Tools, P.O. Box 9004, Crystal Lake, IL, for power tools and accessories and hand tools for various departments for the period October 31, 2010 through December 31, 2010, at a cost not to exceed \$6,000.00. Which was received.

By the Clerk:

Letter dated November 12, 2010, from the Business Administrator recommending the award of a contract to Setcon Industries, 5 Mathews Avenue, Riverdale, NY, for the purchase of ice and snow removal liquids and chemicals for the period November 3, 2010 through October 31, 2012, at a cost not to exceed \$120,000.00. Which was received.

By the Clerk:

Letter dated November 12, 2010, from the Business Administrator recommending the award of a contract to WPCS International, Inc., 1985 Swarthmore Avenue, Suite 4, Lakewood, N.J., for the purchase of radio communication equipment and accessories for the Fire Department for the period November 3, 2010 through July 31, 2011, at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated November 12, 2010, from the Business Administrator requesting an amendment to the Municipal Waste Disposal Agreement with the Union County Utilities Authority, dated July 15, 1998, specifically to guarantee 57,000 tons of solid waste annually in exchange for a reduction of a minimum of \$12.00 per ton for waste delivered after January 1, 2011 through December 31, 2045. Which was received.

By the Clerk:

Letter dated November 15, 2010, from the Business Administrator requesting an amendment to the resolution adopted October 12, 2010, awarding a contract to Daved Fire Systems, Inc., for the inspection of fire alarms at various City-owned buildings along with any necessary repairs, specifically to change the total amount from \$100,000.00 to \$200,000.00 for the period September 22, 2010 to September 21, 2012. Which was received.

By the Clerk:

Letter dated November 15, 2010, from the Business Administrator recommending Change Order No. 1 to the contract awarded to Crimson Fire for one (1) Rescue Apparatus, specifically to delete various options, detailed on Schedule A, thereby reducing the total amount of the award from \$1,009,552.00 to \$827,293.00. Which was received.

By the Clerk:

Letter dated November 15, 2010, from the Business Administrator recommending the award of a contract to Bayway Lumber, 400 Ashton Avenue, Linden, N.J., for the furnishing of miscellaneous hardware supplies for various departments for a period of two years in an amount not to exceed \$650,000.00. Which was received.

By the Clerk:

Letter dated November 15, 2010, from the Business Administrator requesting authorization for the proper City officials to obtain a policy of insurance with The Hartford Insurance, through its agent-of-record, Willis of New Jersey, Inc., 14 Commerce Drive, Cranford, N.J., to provide a Group Life Insurance/Accidental Death and Dismemberment Program for active and retired employees for the period January 1, 2011 through December 31, 2013, the amount to be expended covering the first year is estimated not to exceed \$251,652.00.

Which was received.

By the Clerk:

Letter dated November 16, 2010, from the Chief Financial Officer advising that additional grants may be appropriated in the 2011 SFY Budget by budget amendments. Which was received.

By the Clerk:

Letter dated November 1, 2010, from the Director of Health and Human Services, requesting permission to enter into an agreement with the University Hospital-Lattimore Practice at UMDNJ to provide diagnosis, treatment, monitoring, case management and field services for residents of Elizabeth with confirmed or suspected tuberculosis disease for the period January 1, 2011 through December 31, 2011, in an amount not to exceed \$36,000.00.

Which was received.

By the Clerk:

Letter dated November 8, 2010, from the Director of Health and Human Services requesting permission to accept as a donation from the County of Union Sheriff's Office five (5) computers for use at the Senior Citizen Centers.

Which was received.

By the Clerk:

Letter dated November 1, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute and sign all documents pertaining to CD-36 Funding Year 2010 Emergency Shelter Block Grant Funding (ESG) agreement with the non-profit agencies as per list in the total amount of \$91,292.00.

Which was received.

By the Clerk:

Letter dated November 5, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute and sign a Community Development Block Grant Agreement with Family and Children's Services, 40 North Avenue, Elizabeth, for a Child Abuse Prevention Program for the period July 1, 2010 through June 30, 2011, in the amount of \$13,000.00.

Which was received.

By the Clerk:

Letter dated November 4, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into an agreement with Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., to complete a Redevelopment Study and Redevelopment Plan for Oakwood Plaza at a cost not to exceed \$22,480.00.

Which was received.

By the Clerk:

Letter dated November 10, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to discharge the City mortgage, First Time Homebuyer Program, on the property located at 539 Bond Street in the amount of \$20,000.00.

Which was received.

By the Clerk:

Letter dated November 12, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to amend Chapter 8.80 entitled, "Regulation of Vacant and Foreclosing Residential Properties," specifically to include "No governmental agency is required to pay the annual registration fee." and the Department of Planning and Community Development as an enforcement authority.

Which was received.

By the Clerk:

Letter dated November 12, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to discharge the City's second mortgage, Owner-Occupied Basic Program, and cancellation of Deed of Easement and Restrictive Covenant on the property located at 1053 Edgewood Road in the amount of \$24,956.00.

Which was received.

By the Clerk:

Letter dated November 15, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary to discharge the City's second mortgage and cancellation of the affordability agreement on the property located at 1138 Mary Street in the amount of \$35,000.00.

Which was received.

By the Clerk:

Letter dated November 16, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into an agreement with Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., to complete a Redevelopment Study and Redevelopment Plan for Dowd Avenue/Division Street area at a cost not to exceed \$18,000.00.

Which was received.

By the Clerk:

Letter received November 1, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute a CD-36 Funding Year 2010 Community Development Block Grant Funding with non-profit agencies as per list for the period July 1, 2010 to June 30, 2011; total allocation is \$2,270,945.00, in addition, \$11,873.31 from Program Income in CDBG Year 36 to bring the total amount available in CD 36 to \$2,282,818.31.

Which was received.

By the Clerk:

Letter received November 12, 2010, from the Director of Planning and Community Development requesting authorization to submit an Urban Enterprise Zone Proposal for Zone Assistance Funds for the Historic Midtown Elizabeth Special Improvement District Funds YR 2011 for the period January 1, 2011 through December 31, 2011, in the amount of \$152,250.00.

Which was received.

[REDACTED]

By the Clerk:

Letter dated November 16, 2010, from the Director of Planning and Community Development requesting that your Honorable Body authorize and direct the Planning Board to prepare a Redevelopment Plan for Dowd Avenue/Division Street area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7(F). Which was received.

By the Clerk:

Letter dated November 15, 2010, from the Director of Public Works requesting authorization to have liens placed against the properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of \$7,757.19. Which was received.

By the Clerk:

Letter dated November 15, 2010, from the Director of Public Works recommending the award of a contract to Northeastern Hardwood Floors, Inc., 447 Commerce Lane, Suite A, West Berlin, N.J., for the resurfacing of the floor at the Fred Exleben Recreation Center at a cost of \$82,616.00. Which was received.

By the Clerk:

Letter dated October 25, 2010, from Tyree Environmental Corporation, 2701 Cindel Drive, Suite 7, Cinnaminson, N.J., requesting an Encroachment Permit, on behalf of Getty Petroleum Marketing, Inc., located at 1101 East Jersey Street, to complete additional environmental remedial activities in East Jersey Street. Which was received.

By the Clerk:

Letter dated October 8, 2010, from the Port Authority of New York and New Jersey requesting an Encroachment Permit granting permission for Craig Test Boring Co., Inc., to perform test borings at the following locations which are south of the Goethals Bridge: Amboy Avenue from Krakow Street to Bayway; Burlington Avenue from Krakow Street to Bayway; Krakow Street from Burlington Avenue to Amboy Avenue, and South Front Street from Bayway to the existing Goethals Bridge structure in conjunction with the Goethals Bridge Modernization Program. Which was received.

By the Clerk:

Letter dated November 8, 2010, from Mr. David Perez, 4 Lowden Street, Elizabeth is requesting to be reappointed as Constable. 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.

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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. 4176**, which was seconded by Councilman Keenan, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO CRAIG TEST BORING COMPANY, INC., 5435 HARDING HIGHWAY, MAYS LANDING, NEW JERSEY ON BEHALF OF THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY TO PERFORM TEST BORINGS AT VARIOUS CITY STREETS (LISTED BELOW) WHICH ARE SOUTH OF THE GOETHALS BRIDGE STRUCTURE.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, ~~Jackso~~, Grova, Gonzalez, Keenan, Ceden, Gallman, Mazza, and President Cuesta - ~~2~~ 8

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of **Ordinance No. 4177**, which was seconded by Councilman Keenan, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO TYREE ENVIRONMENTAL CORPORATION, 2701 CINDEL DRIVE, CINNAMINSON, NEW JERSEY ON BEHALF OF GETTY PETROLEUM MARKETING, INC., TO COMPLETE ADDITIONAL ENVIRONMENTAL REMEDIAL ACTIVITIES AT THE GETTY STATION LOCATED AT 1101 EAST JERSEY STREET.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, ~~Jackso~~, Grova, Gonzalez, Keenan, Ceden, Gallman, Mazza, and President Cuesta - ~~2~~ 8

NEGATIVE: None

Council President Cuesta announced that the next business in order would be the introduction of **Ordinance No. 4178** , which was seconded by Councilman Keenan, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR BERNABE R. VARONA, 525 FULTON STREET, ELIZABETH, NEW JERSEY 07206.

The Clerk read the foregoing ordinance.

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

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

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 Ordinance Nos. 4176, 4177 and 4178, adopted on first reading.

Council President Cuesta announced that the next business in order would be the adoption of **Ordinance No. 4169** , which was seconded by Councilman Keenan.

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF A WATER PARK LOCATED IN THE CITY OF ELIZABETH AND APPROPRIATING \$1,300,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,235,000 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 \$1,300,000 including the sum of \$65,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,235,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the construction of a water park at the Mickey Walker Center, and including all other work and materials necessary therefor and incidental thereto.

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

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

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

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

of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

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

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,235,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$260,000 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 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 11, 2010.**

Councilwoman Perkins-Auguste stated that she has just heard from residents and taxpayers of the City speaking about this pool and have heard from the youth, and have received petitions with approximately 600 signatures.

Councilwoman Perkins-Auguste **MOVED** that the foregoing Ordinance be **TABLED**, seconded by Council President Cuesta.

Councilwoman Perkins-Auguste's **MOTION** to **TABLE** was then **DEFEATED** by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cedeno - 2

NEGATIVE: Grova, Gonzalez, Keenan, Gallman, Mazza and President Cuesta - 6

Councilman Gallman stated to replace the pool will cost over \$3 million dollars. He continued that no, this will not be a swimming pool, but the younger children will enjoy it.

Councilman Gallman stated that the police were called over twenty times and he has received calls during the night regarding this pool. He continued that the number of people who use the pool has declined.

Councilman Gallman stated that the Recreation Department at times has found feces in the pool and it has become a nuisance. He continued that there are other pools in the City and the youth can be accommodated at the other pools. He stated further that this pool is in disrepair and the Recreation Department believes that it should be replaced.

Councilman Gallman stated that there is a swimming pool in the High School, School No. 1 and Erxleben Recreation Center. He continued that there are two groups at the Center during the summer and once they leave there is no one else there. He stated further that the people in that area deserve a quality of life, peace and quiet.

Councilman Gallman stated that overwhelmingly his colleagues voted in favor of this ordinance on First Reading and he asked for his colleagues' support because the City cannot continue to put money into a bad project.

Councilman Mazza remembered when there was a pool in O'Brien Field and it was a nuisance. He continued that years ago, the City removed the pool and he believes that the children need more than this.

Councilman Mazza stated that his colleague has great intentions and he will go along with the recommendation. He continue that if the City needs to spend a little more to get something better, then so be it.

Councilman Mazza questioned if the ordinance could be amended?

The Attorney responded that the ordinance can be amended at a later time and the ordinance can also be rescinded as long as the bonds have not been sold.

Councilwoman Perkins-Auguste stated that this is "mind boggling" because two of the pools that have been spoken of do not have centers abutting the pools. She continued that the City can place a cover on this pool when it is not in use and so many other things can be done. She stated further that the pool can be repaired or replaced with a new pool. She also stated that there are problems all over the City, but Council can develop something good for the residents.

Councilwoman Perkins-Auguste stated that just to give the residents a sprinkler is less. She continued that if you ride around the City, the sprinklers are not being used either. She stated further that programs should be implemented at this Center, teaching children to swim.

Councilman Ceden0 stated that his major concern is that the Councilman does not know his ward. He continued that Council did vote in favor of this ordinance but the residents should have been informed.

Councilman Ceden0 stated that this may not be able to be done because the teenagers will not be included in this project at all. He continued that this is moved too fast and that is why he went along with tabling the ordinance.

Councilman Grova stated that what Council is voting on is to put funds aside, not voting on building it. He continued that Recreation has given a quote of \$3 million dollars to build a new pool, He stated further that common courtesy is to yield to the Councilman of the ward.

Councilman Grova stated that Jackson Park now has a sprinkler system. He continued that the Governor took money away from the City so taxes were raised. He stated further that it cost \$1 million dollars to put grass on a soccer field, so this may be a temporary solution.

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

AFFIRMATIVE: Grova, Gonzalez, Keenan, Gallman, Mazza, and President Cuesta - 6

NEGATIVE: Perkins-Auguste, Ceden0 - 2

Council President Cuesta announced that the next business in order would be the introduction of **Ordinance No. 4170** , which was seconded by Councilman Keenan, entitled:

AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY PROVIDING FOR THE NORTH AVENUE COMBINED SEWER MODIFICATIONS PROJECT, AND APPROPRIATING \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE COST THEREOF

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 \$1,500,000. No down payment is required in connection with the improvement or purpose for which obligations are authorized as provided in Section 3 hereof as said purpose is deemed to be self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued is for the construction and installation of the North Avenue combined sewer

modifications project, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is 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 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 City Clerk and is available there for public inspection.

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

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

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the City 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 \$1,500,000 and the issuance of the obligations authorized herein will be within all debt limitations prescribed by that law.

(d) An aggregate amount not exceeding \$400,000 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 purpose or improvement.

(e) This bond ordinance authorizes obligations of the City solely for a purpose described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross

debt pursuant to N.J.S.A. 40A:2-44(c).

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

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

Section 8. The full faith and credit of the City 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 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 11, 2010.**

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

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

NEGATIVE: None

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

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

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

SECTION 1. - A personalized handicapped parking space for **Beatriz Carabajal** is established in front of **142 Race Street, Elizabeth, New Jersey 07202** as follows pursuant to the recommendation of the Elizabeth Police Director: along the West curb line of Race Street beginning at a point 363' North of South Street and continuing 22' North thereof.

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

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held **November 9, 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 15, 2010.**

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

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

NEGATIVE: None

NEW BUSINESS

Councilman Keenan MOVED for a suspension of the rules for the purpose of considering a resolution which did not appear on the agenda, seconded by Council President Cuesta.

Which was carried unanimously.

RESOLUTION OF THE COUNCIL OF THE CITY OF ELIZABETH, COUNTY OF UNION, STATE OF NEW JERSEY AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE STATE OF NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY FOR ADDITIONAL VOLUME CAP ALLOCATION FOR RECOVERY ZONE FACILITY BONDS, WAIVING THE REQUIREMENT FOR SITE PLAN APPROVAL AS A CONDITION THEREFOR AND ALLOCATING ANY ADDITIONAL VOLUME CAP TO THE UNION COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the federal American Recovery and Reinvestment Act of 2009 ("ARRA"), authorized the issuance of Recovery Zone Facilities Bonds (the "Facility Bonds") to provide a lower cost method of financing public and private economic development projects, provided that all Facility Bonds shall be issued by December 31, 2010; and

WHEREAS, the United States Treasury allocated the ability to issue the Facility Bonds to several governmental entities in the State of New Jersey, including the City of Elizabeth (the "City") and Union County (the "County"); and

WHEREAS, on September 15, 2009, the Elizabeth City Council (the "Council") adopted a resolution designating the City of Elizabeth as a "recovery zone" in accordance with the requirements of ARRA; and

WHEREAS, on October 26, 2010, the Council adopted a resolution authorizing the allocation of \$3,931,000 in Facility Bonds to the Union County Improvement Authority (the "UCIA") for the financing of a new state-of-the-art warehouse in the City to be developed by Elberon Development Co., L.L.C. ("Elberon") and leased to Wakefern Food Corporation (the "Project"); and

WHEREAS, on November 4, 2010, the County adopted a resolution making an allocation in the amount of \$15,568,000 in Facility Bonds to the UCIA to assist in the financing of the Project, which, when combined with the City's allocation, totals \$19,499,000 of Facility Bonds; and

WHEREAS, the cost of the construction of the Project is currently estimated to exceed \$50,000,000; and

WHEREAS, on November 15, 2010 the New Jersey Division of Local Government Services issued a notice (the "Allocation Notice") indicating that applications would be accepted for additional volume cap allocation for Facility Bonds if submitted by November 23, 2010, which Allocation Notice also requires that any project must have site plan approval; and

WHEREAS, the allocation of an additional \$25,000,000 in Facility Bonds would permit Elberon to finance almost all of the costs of the construction of the Project through low cost Facility Bonds, which would ensure that the Project could be financed by December 31, 2010 under the ARRA requirements; and

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WHEREAS, the ability to finance the Project through the use of Facility Bonds remains a key consideration for Wakefern to maintain its operations within the City; and

WHEREAS, the deadline for the Application Notice preceded the meeting of the Council to authorize an application in advance; however, the City undertook the preparation and submission of such application in the best interests of the City to preserve and maintain a major employer and incentivize economic development; and

WHEREAS, in the event the City is awarded any additional volume cap for the issuance of the Facility Bonds, the City wishes to accept such award and allocate same to the UCIA to assist in the financing of the Project; and

WHEREAS, the Project qualifies as an area in need of redevelopment pursuant to Section 5(g) of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law") and, as such, the Council intends to undertake the development of a redevelopment plan for the Project area; and

WHEREAS, in accordance with the Redevelopment Law, the Elizabeth City Planning Board's December 2, 2010 agenda includes a resolution authorizing the submission of a redevelopment plan to the Council and, pending the review and approval of the redevelopment plan, the Council will consider an ordinance to effectuate the redevelopment plan prior to December 31, 2010; and

WHEREAS, upon the adoption of the redevelopment plan which shall serve as the zoning for the area, Elberon will make application for site plan approval in accordance with all applicable laws; and

WHEREAS, in consideration of the importance of maintaining and encouraging employment opportunities within the City and the need to provide the appropriate incentives to economic development, the Council has determined that the City should seek additional volume cap allocation to benefit the Project and waive the site plan approval requirement in light of the redevelopment plan that is being prepared; further, in light of the limited time frame permitted to utilize Facility Bonds under ARRA, the City has determined to accept any award of additional volume cap and allocate same to the UCIA to help finance the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Elizabeth as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Council hereby authorizes and ratifies the application to the New Jersey Division of Local Government Services for an additional \$25,000,000 in volume cap allocation for Facility Bonds to finance the Project. The Mayor and City professionals are authorized and directed to take any and all actions required to effectuate the purpose of this

Resolution, including the execution of any documents or provision of any information in support of the application.

Section 3. The Council hereby waives the requirement under the Allocation Notice that the Project must have site plan approval from the City, since the redevelopment plan for the Project is currently under development and consideration in accordance with the Redevelopment Law. The Council waives the site plan approval requirement solely as it relates to the issuance the Facility Bonds.

Section 4. The Council hereby accepts any award of additional volume cap for the Facility Bonds and allocates the full amount of such award to the UCIA for the issuance of Facility Bonds to help finance the Project.

Section 5. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 6. A copy of this resolution shall be available for public inspection at the offices of the City.

Section 7. This Resolution shall take effect upon final passage.

Which was adopted by the following vote:

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

NEGATIVE: None

The regular order of business was then resumed.

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

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

WHEREAS, the City of Elizabeth will receive an amount of \$20,000.00 for the Pedestrian Safety Education and Enforcement Grant 2010 awarded by the State of New Jersey Department of Law & Public Safety and wishes to amend its FY2011 budget to include these amounts as revenue:

NOW, THEREFORE, BE IT RESOLVED that the council of the City of Elizabeth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the fiscal year 2011 in the total sum of \$20,000.00 which is now available as a revenue from:

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

State and Federal Revenues Off-set with Appropriations:

State of New Jersey Department of Law & Public Safety	
Pedestrian Safety Education and Enforcement Grant 2010	\$20,000.00

BE IT FURTHER RESOLVED, that a like sum of \$20,000.00 be and the same is hereby appropriated under the caption of :

General Appropriations

(a) Operations Excluded from 3 ½ % Caps

State and Federal Programs Offset by Revenues:

State of New Jersey Department of Law & Public Safety	
Pedestrian Safety Education and Enforcement Grant 2010	
Other Expenses	\$20,000.00

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

Which was adopted by the following vote:

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

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 **SNAP ON TOOLS, P. O. BOX 9004, Crystal Lake, IL 60039** for Power Tools and Accessories and Hand Tools for various departments for the period of October 31, 2010 through December 31, 2010 at a cost not to exceed \$6,000.00 under their State Contract Numbers 66103 and 66332; 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 No.66103 and No. 66332, 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 **SNAP ON TOOLS, P. O. BOX 9004, Crystal Lake, IL 60039** for Power Tools and Accessories and Hand Tools for various departments for the period of October 31, 2010 through December 31, 2010 at a cost not to exceed \$6,000.00 under their State Contract Numbers 66103 and 66332.

Which was adopted by the following vote:

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

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 **SETCON INDUSTRIES, 5 Matthews Avenue, Riverdale, New York 07457** for the purchase of Ice and Snow Removal Liquids and Chemicals for the period of November 3, 2010 through October 31, 2012 at a cost not to exceed \$120,000.00 under their State Contract No. 77881; 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 #77881, 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 **SETCON INDUSTRIES, 5 Matthews Avenue, Riverdale, New York 07457** for the purchase of Ice and Snow Removal Liquids and Chemicals for the period of November 3, 2010 through October 31, 2012 at a cost not to exceed \$120,000.00 under their State Contract No. 77881.

Which was adopted by the following vote:

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

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 **WPCS INTERNATIONAL, INC., 1985 Swarthmore Avenue, Suite 4, Lakewood, New Jersey 08701** for the purchase of Radio Communication Equipment and Accessories for the Fire Department for the period of November 3, 2010 thorough July 31, 2011 at a cost not to exceed \$50,000.00 under State Contract No. 53766; 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 No.53766 and No. 66332, 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 **WPCS INTERNATIONAL, INC., 1985 Swarthmore Avenue, Suite 4, Lakewood, New Jersey 08701** for the purchase of Radio Communication Equipment and Accessories for the Fire Department for the period of November 3, 2010 thorough July 31, 2011 at a cost not to exceed \$50,000.00 under State Contract No. 53766.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS the Business Administrator and the Purchasing Agent have requested the award of a contract to the sole responsible bidder, **BAYWAY LUMBER, 400 Ashton Avenue, Linden, New Jersey 07036** for the furnishing of Miscellaneous Hardware Supplies for various departments for a period of two years in an amount not to exceed \$650,000.00; and

WHEREAS, the amount of the contract in question exceeds \$50,000.00 and the provisions of **Chapter 2.92** of the Code of the City of Elizabeth have been complied with by **BAYWAY LUMBER**; 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 that City Council of the City of Elizabeth hereby awards a contract to the lowest responsible bidder **BAYWAY LUMBER, 400 Ashton Avenue, Linden, New Jersey 07036** for the furnishing of Miscellaneous Hardware Supplies for various departments for a two year period in an amount not to exceed \$650,000.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has requested permission to enter into an Memorandum of Agreement with the University Hospital-Lattimore Practice at UMDNJ (a body corporate and politic of the State of New Jersey) to provide diagnosis, treatment, monitoring, case management and field services for residents of Elizabeth with confirmed or suspect tuberculosis disease; and

WHEREAS, this agreement will be for the period of January 1, 2011 thorough December 31, 2011 in an amount not to exceed \$36,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-03333, charging the amount of \$36,000.00 to Account No.1-01-27-330-HEA-325, of the Municipal Budget is on file in the Office of the City Clerk; and

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to accept and sign all appropriate documents and to endorse a Memorandum of Agreement with the University Hospital-Lattimore Practice at UMDNJ (a body corporate and politic of the State of New Jersey) to provide diagnosis, treatment, monitoring, case management and field services for residents of Elizabeth with confirmed or suspect tuberculosis disease for the period January 1, 2011 through December 31, 2011 in an amount not exceed \$36,000.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested an award of a contract with **HARBOR CONSULTANTS, INC., 320 North Avenue East, Cranford, New Jersey** for Professional Planning Services for Oakwood Plaza. The services would include necessary requirements to meet the State of New Jersey Redevelopment rules and regulations. A complete Redevelopment Study and a Redevelopment Plan will be prepared. The total cost of the contract is not to exceed \$22,480.00; and

WHEREAS, the Redevelopment Study will be prepared and presented to the appropriate Boards and City Council and upon recommendation to proceed, **HARBOR CONSULTANTS, INC.**, will complete a Redevelopment Plan; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-03332 charging the amount of \$22,480.00 to Account No. X-04-55-948-001 of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with **HARBOR CONSULTANTS, INC., 320 North Avenue East, Cranford, New Jersey 07016** to complete a Redevelopment Study and Redevelopment Plan for Oakwood Plaza at a cost not to exceed \$22,480.00.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11- 2(b) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
3. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, on November 10, 2010 the Director of Public Works received two (2) bids for the Fred Erxleben Recreation Center Floor Resurfacing; and

WHEREAS, the lowest bidder, **SIGNATURE FENCING & FLOORING SYSTEMS, LLC, 50 East 42nd Street, Suite 501, New York, New York 10017** did not possess a New Jersey Public Works Contractor Registration as required, therefore, their bid was not responsive and must be rejected; and

WHEREAS, the Director of the Department of Public Works has requested authorization for the award of a contract to the second responsible bidder **NORTHEASTERN HARDWOOD FLOORS, INC., 447 Commerce lane, Suite A, West Berlin, New Jersey 08091** for the Fred Erxleben Recreation Center Floor Resurfacing at a cost of \$82,616.00; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-03652 , charging the amount of \$82,616.00 to Account No. X-04-55-999-X13-313 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of authorizes the award of a contract to the second responsible bidder **NORTHEASTERN HARDWOOD FLOORS, INC., 447 Commerce lane, Suite A, West Berlin, New Jersey 08091** for the Fred Erxleben Recreation Center Floor Resurfacing at a cost of \$82,616.00 and rejects the bid of **SIGNATURE FENCING & FLOORING SYSTEMS, LLC** as being non-responsive.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested an award of a contract be made to **HARBOR CONSULTANTS, INC., 320 North Avenue East, Cranford, New Jersey** for Professional Planning Services for Dowd Avenue/Division Street Area. The services would include necessary requirements to meet the State of New Jersey Redevelopment rules and regulations. A complete Redevelopment Study and a Redevelopment Plan will be prepared the total cost of the contract is not to exceed \$18,000.00; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 11-03696 charging the amount of \$18,000.00 to Account No. X-04-55-948-001 of the Municipal Budget is on file in the Office of the City Clerk; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with **HARBOR CONSULTANTS, INC., 320 North Avenue East, Cranford, New Jersey 07016** to complete a Redevelopment Study and Redevelopment Plan for Dowd Avenue/Division Street Area at a cost not to exceed \$18,000.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11- 2(b) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
3. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to execute **CDBG FY 36** the agencies agreements for 2010 with the agencies shown on the attached **Schedule A** which is made a part hereof to provide the services set forth in the descriptions of each contract for the periods shown in the amounts indicated for each contract shown on **Schedule A**; and

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

WHEREAS, the recipients of funds for CDBG contracts listed on the attached **Schedule A** that exceed \$50,000.00 have complied with 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 these purposes and certifications charging the appropriate amounts to the appropriate account for the respective contracts shown on **Schedule A** are on file in the Office of the City Clerk; and,

WHEREAS, the Director of the Department of Planning and Community Development has certified that this meets the statute and regulations governing the award of said contracts in the certifications of EUS which are on file in the Office of the City Clerk; now, therefore, be it

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

1. The Mayor and the Municipal Clerk are hereby authorized to execute Community Development Block Grant FY 36 agreements for 2010 with the non-profit agencies in the amounts and for the purposes setforth on the attached **Schedule A**
2. A notice of this action shall be published in **The StarLedger**.

Which was adopted by the following vote:

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

NEGATIVE: None

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to execute **CDBG FY 36 Emergency Shelter Grant** agreements for **2010** with the agencies shown on the attached Schedule A which is made a part hereof to provide the services set forth in the descriptions of each contract for the periods shown in the amounts indicated for each contract shown on Schedule A; and

WHEREAS, the recipient of funds for CDBG contracts listed on the attached Schedule A that exceed \$50,000.00 have complied with 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 these purposes and certifications charging the appropriate amounts to the appropriate account for the respective contracts shown on Schedule A are on file in the Office of the City Clerk; and

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

WHEREAS, the Director of the Department of Planning and Community Development has certified that this meets the statute and regulations governing the award of said contracts in the certifications of EUS which are on file in the Office of the City Clerk; now, therefore, be it

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

1. The Mayor and the Deputy Municipal Clerk are hereby authorized to execute Community Development Block Grant **FY 36** agreements for **2010** with the non-profit agencies in the amounts and for the purposes setforth on the attached Schedule A
2. A notice of this action shall be published in The StarLedger.

Which was adopted by the following vote:

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

NEGATIVE: None

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to apply for and accept the over the Limit Under Arrest 2010 Year End Statewide Crack Down Grant in the amount of \$5,000.00 sponsored by the New Jersey Division of Highway Traffic Safety; and

WHEREAS, the New Jersey Division of Highway Traffic Safety D.W.I. Grant will help enhance safety on the City of Elizabeth’s roads during the holiday season; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to apply for and accept the Over the Limit Under Arrest 2010 Year End Statewide Program Grant in the amount of \$5,000.00 sponsored by the New Jersey Division of Highway Traffic Safety which will help to enhance safety on our roads during the holiday season; and be it

FURTHER RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to execute any and all documents necessary to apply for and accept the Over the Limit Under Arrest 2010 Year End Statewide Program Grant in the amount of \$5,000.00 sponsored by the New Jersey Division of Highway Traffic Safety.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Deputy Chief of the Elizabeth Police Department have requested authorization for the proper City Officials to apply for \$11,648.95 and accept from the Drunk Driving Enforcement Fund Application provided by the New Jersey Division of Highway Traffic Safety; now, therefore, be it

RESOLVED that the proper City Officials are hereby authorized to apply for \$11,648.95 and accept from the Drunk Driving Enforcement Fund Application provided by the New Jersey Division of Highway Traffic Safety; and be it

FURTHER RESOLVED that the Mayor and proper City Officials are authorized to execute all necessary documents for the Drunk Driving Enforcement Fund Application which is to be provided by the New Jersey Division of Highway Traffic Safety.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, as a result of the City of Elizabeth's designation as an Urban Enterprise Zone, qualified businesses are eligible to collect sales tax at the rate of 3.5%; and

WHEREAS, the monies collected at this reduced sales tax are deposited in the Urban Enterprise Zone Assistance Fund by the New Jersey Division of Taxation and are available for use by the City of Elizabeth for programs and projects designed to promote economic development; and

WHEREAS, the Business Administrator has requested authorization to submit a proposal to the New Jersey Urban Enterprise Zone Authority for \$152,250.00 in Zone Assistance Funds to provide for funding for the Historic Midtown Elizabeth SID for FY 2011 budget for the period January 1, 2011 through December 31, 2011; and

WHEREAS, these funds will be used to cover various costs within the 2011 budget to include, administration expenses, operational expenses as well as marketing expenses; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the submittal of a proposal to the New Jersey Urban Enterprise Zone Authority, for \$152,250.00 in Zone Assistance Funds to provide for funding for the Historic Midtown Elizabeth SID for FY 2011 budget for the period January 1, 2011 through December 31, 2011; and be it

FURTHER RESOLVED that the Mayor is authorized to execute all documents and to enter into any agreements with the Elizabeth Development Company (EDC), or any other party necessary to carry out this resolution.

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION OF THE COUNCIL OF THE CITY OF ELIZABETH, COUNTY OF UNION, STATE OF NEW JERSEY AUTHORIZING AND DIRECTING THE CITY PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-7(F).

WHEREAS, the *Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.* (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, The State of New Jersey (the "State") designated several blocks in the City of Elizabeth (the "City") as an "Urban Renewal Zone" pursuant to the *New Jersey Urban Enterprise Zone Act, N.J.S.A. 52:27H-60 et seq.*, (those parcels located within the designated Urban Enterprise Zone shall hereinafter be the "UEZ"); and

WHEREAS, on February 13, 1997 and May 8, 2002 the State approved expansions to the City's UEZ map, which UEZ includes the properties listed on the letter dated November 23, 2010 to the Mayor and Council of the City of Elizabeth from Victor E. Vinegra, municipal planner, attached hereto and made a part hereof, which properties shall collectively be referred to as the "Zone Area" and a map of the Zone Area has also been attached hereto as Schedule A, merely for reference; and

WHEREAS, by ordinance the City Council accepted the amendment from the State; and

WHEREAS, Section 5(g) of the Act states:

In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone; and

WHEREAS, pursuant to Section 5(g) of the Act, City Council designates the Zone Area as an area in need of redevelopment; and

WHEREAS, pursuant to Section 7(f) of the Act, the City Council requests that the City Planning Board prepare a redevelopment plan for the Zone Area.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Elizabeth as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The City Council hereby designates the Zone Area as an area in need of redevelopment pursuant to Section 5(g) of the Act.

Section 3. The City Council hereby authorizes and directs the Planning Board to prepare a redevelopment plan for the Zone Area pursuant to Section 7(f) of the Act. Upon completion of the redevelopment plan, the City Planning Board shall transmit the plan to the City Council for its consideration.

Section 3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. A copy of this resolution shall be available for public inspection at the offices of the City.

Section 5. This Resolution shall take effect upon final passage.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need for accident insurance coverage for Group Life Insurance/AD&D Program for Active as well as Retired Employees; and

WHEREAS, the Business Administrator has recommended the award of a contract be made to **HARTFORD INSURANCE COMPANY, through its agent Willis of New Jersey, Inc., Cranford, New Jersey**. Their proposal offers a continuation of benefits of Group Life Insurance/Accidental Death and Dismemberment Program at the cheaper rate as the expiring contract for the active and retired employees. The rates are guaranteed for a period of three (3) years in an amount not to exceed \$251,652.00. The term of the policy will be January 1, 2011 through December 31, 2013; and

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

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

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement with **HARTFORD INSURANCE COMPANY, through its agent Willis of New Jersey, Inc., Cranford, New Jersey**. Their proposal offers a continuation of benefits of Group Life Insurance/Accidental Death and Dismemberment Program at the cheaper rate as the expiring contract for the active and retired employees. The rates are guaranteed for a period of three (3) years for an amount not to exceed 251,652.00. The term of the policy will be January 1, 2011 through December 31, 2013
2. The recommendation to award the contract is being made because this proposal offers a continuation of the present insurance for the purpose stated above.

3. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance and Banking in order to qualify to do business within this State. New Jersey Statute 40A:11-5(1)(m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements for Extraordinary, Unspecifiable Service in accordance with the requirements thereof.
4. This cannot be described by written specifications because of the special nature of the services as described above.
5. A notice of this action shall be published in The Star Ledger.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have requested authorization for Change Order No. 1 to the contract awarded to **CRIMSON FIRE** for the purchase of one (1) Rescue Apparatus in the amount of \$1,009,552.00, specifically to delete various options thereby reducing the amount to \$827,293.00; and

WHEREAS, on March 9, 2010 City Council adopted a resolution to award a contract to **CRIMSON FIRE** of Brandon, South Dakota for one (1) Rescue Apparatus in the amount of \$1,009,552.00. The bid included an option list which had the provision that the City could purchase any, all or none of the options; and

WHEREAS, on February 25, 2010, Battalion Chief Robert Cowan reviewed the bids received and Fire Director Onofrio Vitullo approved the low bid received from **CRIMSON FIRE** met our specifications, thereby recommending City Council award a contract to **CRIMSON FIRE** for the Rescue apparatus including all the options listed in the sealed bid; and

WHEREAS, Fire Chief MacNamara advised that he was unaware that the award to **CRIMSON FIRE** committed to the Fire Department to the purchase of all options listed in the sealed bid. He further advised that he had been searching the market for lower prices for the options listed on the sealed bid and had found lower prices in the state contract and county co-op requests that he and submitted for award; and

WHEREAS, on September 8, 2010, after legal review, Fire Chief MacNamara was advised to contact **CRIMSON FIRE** to obtain written approval for the City of Elizabeth to delete various options from the sealed bid award; and

WHEREAS, Fire Director Vitullo has submitted a list prepared by **CRIMSON FIRE**, dated October 27, 2010 detailing options that they agree to delete from the bid the total of which is \$182,259.00. On November 4, 2010, Fire Chief MacNamara has submitted a detailed list of the duplicate items for which lower prices have been obtained.

All but one item on this list have already been purchased through Council award. The savings totaled \$28,163.76; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.1 et seq. it is requested that City Council adopt resolution to approve Change Order No. 1 to delete various options m thereby reducing the total of the award to **CRIMSON FIRE** from \$1,009,552.00 to \$827,293.00; now, therefore be it

RESOLVED that the City Council of the City of Elizabeth authorizes Change Order No. 1 as setforth hereinabove to the contract with **CRIMSON FIRE** for the purchase of one (1) Rescue Apparatus in the amount of \$1,009,552.00, specifically to delete various options thereby reducing the amount of the contract to \$827,293.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization to amend the resolution adopted October 12, 2010 which awarded a contract for Inspection of Fire Alarms at Various City owned Buildings along with any necessary repairs to **Daved Fire Systems, Inc., 307 West Pleasantview Avenue, Hackensack, New Jersey 07601** in the amount not to exceed \$100,000.00 under the Union County Cooperative Purchasing contract #CK-06-UNION; and

WHEREAS, due to a clerical error the original request was for \$100,000.00 for a two year period. The request should have been for \$100,000.00 per year for a total of \$200,000.00 for the two year period of September 22, 2010 to September 21, 2012; now, therefore, be it

RESOLVED that the resolution adopted October 12, 2010 awarding a contract to **Daved Fire Systems, Inc., 307 West Pleasantview Avenue, Hackensack, New Jersey 07601** in the amount not to exceed \$100,000.00 for a two year period under the Union County Cooperative Purchasing contract #CK-06-UNION be amended to \$100,000.00 per year for a total of \$200,000.00 for the two year period of September 22, 2010 to September 21, 2012.

Which was adopted by the following vote:

- AFFIRMATIVE: Perkins-Auguste, ██████████, Grova, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - **48**
- NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services has advised that the Department of Health and Human Services, Office on Aging has been offered five (5) used computers from the County of Union Sheriff's Office; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the Department of Health and Human Services, Office on Aging to accept a donation of five (5) used computers from the County of Union Sheriff's Office for use at the Senior Citizen Centers.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to discharge a second mortgage and cancel the Deed of Easement and Restrictive Covenant held by the City of Elizabeth; and

WHEREAS, the City of Elizabeth holds second mortgage and a Deed of Easement and Restrictive Covenant given by **Dora Katzwer** the owner of the mortgage premises located at **1053 Edgewood Road, Elizabeth, New Jersey**; and

WHEREAS, this is a Owner Occupied Basic Program mortgage given on October 23, 2008, Recorded Date October 28, 2008, Book No. MB12585 Pages 0294-0295 in the original amount of \$24,956.00 as security for 0% interest Deferred Payment Repayable Loan after ten (10) years and a Deed of Easement and Restrictive Covenant Recorded Book/Page DB5667 Pages No. 0445-0449; and

WHEREAS, the Director advises that the owner has repaid the total amount of the financial assistance provided and has requested a Discharge of the Mortgage and Cancellation of the Deed of Easement and Restrictive Covenant. The Council on Affordable Housing (COAH) has approved same. The owner has fulfilled her obligations under the terms of the mortgage loan and is therefore entitled to a Discharge of Mortgage and Cancellation of the Deed of Easement and Restrictive Covenant; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to discharge said mortgage and cancel the Deed of Easement and Restrictive Covenant

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to discharge two mortgages held by the City of Elizabeth; and

WHEREAS, the City of Elizabeth holds two mortgages given by **Marco Balseca & Evelyn Balseca**, the owners of the mortgage premises located at **539 Bond Street, Elizabeth, New Jersey**; and

WHEREAS, these are First Time Home Program mortgages, dated February 18, 1999, Recorded on February 25, 1999, at MB7093 Pages No. 0160-0167 in the original amount of \$20,000.00 as 0% Interest Deferred Payment Forgivable Loans ten years; and

WHEREAS, the Director advises that the owners have fulfilled their obligations under the terms of the mortgage loans and are therefore entitled to Discharges of the Mortgages; now, therefore, be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested adoption of a resolution authorizing the proper City Officials to execute any and all documents necessary and appropriate to discharge a mortgage held by the City of Elizabeth; and

WHEREAS, the City of Elizabeth holds mortgage given by **Luis A. Torres**, the owner of the mortgage premises located at **1138 Mary Street, Elizabeth, New Jersey**; and

WHEREAS, this is a Deferred Payment Loan Program mortgage, dated October 4, 1994, Recorded at MB5483-0288 in the original amount of \$35,000.00 as DPL Forgivable after ten years; and

WHEREAS, the Director advises that the owners affordability period is now in the seventeenth year and the owner is entitled to a Discharge of the Mortgage and Cancellation of the Affordability Agreement; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the Mayor to execute any and all documents in order to discharge said mortgage and cancel the Affordability Agreement.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

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

BY CITY COUNCIL AS A WHOLE:

RESOLVED that pursuant to the provisions of N.J.S.A. 40A:9-120, City Council of the City of Elizabeth does hereby reappoint, **Mr. David Perez, 4 Lowden Street, Elizabeth, New Jersey**, to serve as a Constable for a term of three (3) years effective from date of appointment; and be it

FURTHER RESOLVED that the said **Mr. David Perez**, shall deliver to the City Clerk within forty-five (30) days of the date of appointment a surety bond in the sum of \$1,000.00 in order to insure the faithful performance of his duties; that upon failure to deliver such surety bond within the time stated herein, said office shall be deemed vacant, pursuant to N.J.S.A. 40A:9-120 et seq.

Which was adopted by the following vote:

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

NEGATIVE: None

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

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

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

AVAYA, INC.	1-01-31-440	\$ 5,978.32
ELIZABETHTOWN GAS	1-07-35-500-SEW-351	\$ 2,685.05
FLEETCOR TECHNOLOGIES SERVICE	1-01-31-460	\$ 84,525.76
HESS CORP	1-01-31-430	\$ 67,286.26
NATIONAL FUEL OIL, INC.	1-01-31-447	\$ 4,333.26
NATIONAL TERMINAL, INC.	1-01-31-447	\$ 6,447.29
NEXTEL COMMUNICATIONS	1-01-31-440	\$ 545.53
PSE&G	1-01-31-430	\$ 9,953.02
SPRINT	1-01-31-440	\$ 12.58
VERIZON	1-01-31-440	\$ 18,,805.47
VERIZON CABS	1-01-31-440	\$ 188.50
VERIZON WIRELESS	1-01-31-440	\$ 672.38
VERIZON COMMUNICATIONS	1-01-31-440	\$ 243.53

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, ~~J...~~, Grova, Gonzalez, Keenan, Cedeno, Gallman, Mazza, and President Cuesta - 18

NEGATIVE: None



BY COUNCIL AS A WHOLE:

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

<u>ORGANIZATION</u>	<u>AG</u>	<u>B.L.</u>	<u>R.L.</u>	<u>DATE</u>
St. Mary of the Assumption Ch.			5246	11-17-10
Chevahalzahah of Eliz. Corp.			5247	11-22-10
Mother's Guild of St. Patrick H.S.			5248	11-24-10

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that Victoria Rowell will be honored at an upcoming Inspirational Holiday Celebration "Sistahs Inspiring Sistahs" and Book Signing at the Kenilworth Veterans Center, Inc., Kenilworth, New Jersey on December 15, 2010; and

WHEREAS, Victoria Rowell actress, advocate, mother, a former Foster child and now a New York Times Bestselling author of The Women Who Raised Me," a memoir which received The African American Literary Award and two NAACP Image Award nominations in the literary category and recipient of a statuette for Outstanding Literary Work/Debut Author; and

WHEREAS, Victoria is an Emmy-nominated actress, who co-starred in the hit prime time television series "Diagnosis Murder" (1993) for eight seasons while simultaneously continuing her role as "Drucilla Winters" on the daytime drama, "The Young and the Restless" (1973); and

WHEREAS, born in Portland, Maine, Rowell was raised in foster care for eighteen years. She trained as a dancer for eight years before turning professional and dancing with various companies, including the American Ballet Theater (ABT) II and the Twyla Tharp Workshop. After dancing, she pursued a career in modeling, and graced the pages of Seventeen and Mademoiselle magazines. Modeling led to acting – she landed a recurring role on the high-rated "The Cosby Show" (1984); and

WHEREAS, an advocate for foster children like herself, she founded the Rowell Foster Children's Positive Plan in 1990, which enriches the lives of foster children through artistic and athletic expression; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby congratulates Victoria Rowell for being honored at an upcoming Inspirational Holiday Celebration "Sistahs Inspiring Sistahs" and the Book Signing of her memoirs and her stellar career and wishes her continued success in all of her future endeavors; 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 Victoria Rowell.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council has recently learned that Nicole Nunes of Elizabeth recently completed her Gold Award Project as part of her requirements as a Girl Scout; and

WHEREAS, Nicole is the daughter of Fernando and Maria Isabel Nunes both born in Portugal and is currently a senior at the Upper Academy of Elizabeth High School; and

WHEREAS, Nicole started as a Girl Scout when she was in tenth grade and one of her main goals was to complete the Gold Award; and

WHEREAS, on October 10, 2010, with the help of Jessica Serra, Nicole completed the Gold Award project; and

WHEREAS, Nicole and Jessica designed their Gold Award project to help people. To that end, they decided to remodel a community room in order to meet the needs of single mothers. By providing a cozier space, mothers would be able to socialize, as well as spend time with their children in the play area. At first, the room was not divided, so Nicole and Jessica divided the room by placing the sofas in a way that the mothers can keep an eye on their children, while still remaining in the area, relaxing. Also, the adult instruction books and novels were all mixed, so Nicole and Jessica organized the books and put them on different bookshelves. To bring more life to the room, Nicole and Jessica painted the wall a soft yellow, hung up curtains, and with the help of João Serra, painted a jungle-themed mural for the children on the back wall. Nicole and Jessica concluded by organizing the toys and added an alphabet mat; and

WHEREAS, on November 8th, Nicole and Jessica held a ribbon cutting ceremony and several people attended, were pleased with the room and congratulated Nicole and Jessica on their work; and

WHEREAS, Nicole and Jessica completed the project with the help of their project advisor Maria Carvalho, João Serra, Jackie Albaum, Dr. Maria Manuela Silva and their parents; now, therefore be it

RESOLVED that the City Council of the City of Elizabeth wishes to congratulate and commend Nicole Nunes on the completion of the project that has earned her a Girl Scouts Gold Award; and

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, , Grova,
Gonzalez, Keenan, Cedeno, Gallman, Mazza,
and President Cuesta - **X8**

NEGATIVE: None

WHEREAS, the City Council of the City of Elizabeth has learned that **Stephanie Fernandes** has earned her Girl Scout Gold Award; and

WHEREAS, **Stephanie Fernandes'** Girl Scout Gold Award Project was to conduct a workshop to educate all drivers to reduce the number of fatalities on our roads and save lives due to distracted drivers falling asleep behind the wheel. The workshop's intent was to reduce the number of fatalities on our roads and save lives. The workshop was in memory of a dear friend, Joel Moleiro, who died in a car crash. She invited a guest speaker and provided educational material to an audience of eight people. She replanted a memorial garden with beautiful fall flowers and added two memorial stones, one in memory of Joel Moleiro and the other in memory of Michael Esteves; and

WHEREAS, Stephanie was supported and helped by her mother, her sister, Fatima, Michelle, Angela and her church and all of her friends with this project; and

WHEREAS, the City Council of the City of Elizabeth is proud of **Stephanie Fernandes's** achievements; now, therefore, be it

RESOLVED that the City Council of Elizabeth hereby extends its congratulations to **Stephanie Fernandes** on earning her Girl Scout Gold Award and wishes her every success in her future endeavors.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

59

WHEREAS, that the City Council of the City of Elizabeth has learned that **Derrick Domingos**, a member of Boy Scout Troop No. 101/ Pack 101, of Our Lady of Fatima R.C. Church, Elizabeth, New Jersey, has attained the rank of Eagle Scout; and

WHEREAS, to become an Eagle Scout, a Scout must advance through the ranks, earn merit badges, and complete an approved service project. The Eagle award is an accomplishment achieved by only two percent of all boys who join scouting; and

WHEREAS, **Derrick Domingos'** Eagle Scout service project consisted of removing or painting over graffiti that was beginning to make the neighborhood area look unsightly. A team of fifteen volunteers including nine boy scouts spent two days cleaning or repainting almost a hundred objects mainly in wards four and five within the City of Elizabeth, New Jersey. The objects were mainly electrical boxes for traffic lights and traffic light posts. The work involved totaled 182 hours of service donated by these volunteers. The result helped to make the area more appealing and visually clean. Residents were pleased with the results; and

WHEREAS, Boy Scout Troop No. 101/Pack 101 leaders, committee members and the City Council of the City of Elizabeth are proud of **Derrick Domingos'** achievements; now, therefore, be it

RESOLVED that the City Council of Elizabeth hereby extends its congratulations to **Derrick Domingos** on attaining the rank of Eagle Scout and wishes him every success in his future endeavors.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned that Daniel Castanheira, a member of Boy Scout Troop No. 101/ Pack 101, of Our Lady of Fatima R.C. Church, Elizabeth, New Jersey, has attained the rank of Eagle Scout; and

WHEREAS, to become an Eagle Scout, a Scout must advance through the ranks, earn merit badges, and complete an approved service project. The Eagle award is an accomplishment achieved by only two percent of all boys who join scouting; and

WHEREAS, Daniel Castanheira's project consisted of repairing, renovating and improving the landscaping areas in front and around the Juvenile Detention Center in Linden. The green areas around the facility were in desparate condition. Many of the plants/ shubs/trees were overgrown, dying, or dead. Due to limited budget and resources the county facility was not able to perform the renovations and improvements needed for this beautification project. With the collaboration of a Landscape Architect, a landscape plan was designed with consideration for the limited resources. The design incorporated low maintenance and drought resistant plants, shrubs, and trees in the renovation/improvements. The project included removing existing shrubs, and trees that were dead or unusable. In addition, some shrubs and trees that were still viable were reused and aligned with the new landscape design. The improvement incorporated the addition of eighteen junipers, three evergreen skips, ten plants, two bayberries, two trees and twenty yards of mulch; and

WHEREAS, Boy Scout Troop No. 101/Pack 101 leaders, committee members and the City Council of the City of Elizabeth are proud of Daniel Castanheira's achievements; now, therefore, be it

RESOLVED that the City Council of Elizabeth hereby extends its congratulations to Daniel Castanheira on attaining the rank of Eagle Scout and wishes him every success in his future endeavors.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Palma C. Sisco (nee Specchio) 57; and

WHEREAS, born Newark, New Jersey and she was a life-long resident of Elizabeth; and

WHEREAS, she was a Business Administrator for Rutgers University, Newark campus for thirteen years. Prior to that, she worked for the Elizabethtown Gas Company in Elizabeth; and

WHEREAS, she was a member of St. Genevieve's Church Helping Hand, and was also a member of the St. Genevieve's Rosary Society; and

WHEREAS, surviving are her husband of thirty-six years, Steven O; three daughters, Gina Parrillo and her husband, Frank, Suzanne Sisco and Katherine Sisco; her parents, Pasquale and Adeline Specchio; her mother-in-law, Florence Sisco; two sisters, Annette Griscavage and Patricia Kikenny, and a grandson Connor James Parrillo; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Palma C. Sisco and wishes to express sympathy to her family, relatives and friends at this time of their loss; and be it

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

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

BY CITY COUNCIL AS A WHOLE

62

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Pearl Sims, on Wednesday, November 10, 2010 at Trinitas Hospital in Elizabeth, New Jersey; and

WHEREAS, Pearl was born to George Bedenbaugh and Maybell (Wheeler) Bedenbaugh on March 4, 1937 in Prosperity South Carolina, was educated in the public school systems of Prosperity, South Carolina and was employed for many years as a Nurse's Assistant for Dr. Mills' Clinic; and

WHEREAS, Pearl married Cornell Sims Sr. and they remained a loving, caring and devoted couple who were blessed with six children: Calvin, Cornell Jr., Lisa, Sandra, Vanessa, and Jammie. She was also a devoted Stepmother to Ava Mckie and Aunt and Mother-like figure to a dear niece Dorothy Mae Bedenbaugh and her children; and

WHEREAS, in the Spring of 1964, Pearl left South Carolina and moved to Elizabeth, New Jersey, where she worked for Mattel Toys in Elizabeth for a short period of time before eventually working and managing the kitchen at Gino's (Nardone's) Bar and Grille, from which she retired in 1992; and

WHEREAS, Pearl was committed to her family and her community. For many years she was an active member of the Neighborhood Preservation Residents Organization, Inc, (N.P.R.O.). Pearl was also a member of Mount Moriah AME Church in Prosperity, South Carolina and Siloam Hope Presbyterian Church in Elizabeth, for over 40 years, where she served as a Deaconess and participated in the Evangelist Committee and the Kitchen Committee; and

WHEREAS, Pearl was affectionately known for her cooking especially her cheesecakes and there was never a time that you could not come to her home and have a good home cooked meal. She enjoyed cooking and always had a house full of loved ones on Sundays and holidays; and

WHEREAS, in addition to her loving husband Cornell and her beautiful children and stepdaughter, Pearl leaves to cherish her memory a sister Mabel Lee Wise; grandchildren, Shaniquah Wilson, Cornell Sims III, Celeste Atkins, Jalisa Sims, Naija Rolon, Shadaye Johnson, Jessica Bedenbaugh, Clarissa Bedenbaugh, Marissa Bedenbaugh, Sabreen Mateen, Shakina Young, Jamie Sims, James Davis III, Sanaa Davis, Rylee Sims; great grand children, Aa'Nesti Wilson, Messiah Atkins, Genesis Purnell, and Semaj Waters; brother and sister in laws Broadus (Helen), Cecil Sims, Elbert Sims, Eloisee Davis, Ann Drake, Irene (Teddy) Ellison, William Hunter, a dear niece Dorothy Bedenbaugh, a close special friend Peggy White and a host of nieces, nephews, cousins, church family and friends; now, therefore be it .

RESOLVED, that the City Council of the City of Elizabeth hereby express its sincere condolences at the passing of Pearl Sims; and wishes to express sympathy to her family, relatives and friends at this time during their loss.

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

BY CITY COUNCIL AS A WHOLE:

63

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Anthony Michael DeMaio, Sr., 69; and

WHEREAS, Anthony was born and raised in Elizabeth, and raised his family in Roselle and later in Clark, New Jersey; and

WHEREAS, he was a communicant of St. Anthony of Pauda Church, in Elizabeth; and

WHEREAS, Mr. DeMaio was the owner of W.D. Snyder Construction Company in Kenilworth, New Jersey for the past twenty-nine years. In addition, he was a member of Laborers Local 394 in Elizabeth for the past forty years; and

WHEREAS, Mr. DeMaio was a much loved community leader who always gave a helping hand to anyone in need. He was a member of the Ribera Club in Elizabeth and founder of the Old timers Club of Elizabeth. Everyone who knew him knows that the most important thing to him was his family; and

WHEREAS, he was a devoted husband, father, grandfather and brother, he is survived by his loving wife of forty-seven years, Jacqueline (Merlo) DeMaio; cherished daughters Michele DeMaio, Maryellen Foley and her husband, Scott; son, Anthony, Jr., and his wife Keara DeMaio; sisters, Rose Moyle, Margaret Dominick, and Carmela Cikanovich; his adored grandchildren, Jacqueline and Rachel Foley and baby Vivienne DeMaio and his much-loved nieces, nephews, cousins and dear friends. Mr. DeMaio was predeceased by his parents, Marie (Gagliardo) and Salvatore DeMaio; his sister, Mary Carberry, and his brothers, Ross, Sal and Vincent DeMaio; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Anthony Michael DeMaio, Sr. and wishes to express sympathy to his family, relatives and friends at this time of their loss; and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Gary Martin Weltchek, 60; and

WHEREAS, born in Elizabeth, Mr. Weltchek was a lifelong government Employee working first for the State of New Jersey, then the City of Elizabeth, and finally the County of Union as a planner; and

WHEREAS, he was well known for his great smile and abundant kindness. He enjoyed bowling and was a member of the Union County League for many years, but his favorite pastime was relaxing with a good book and spending time with his grandchildren; and

WHEREAS, he leaves his beloved wife, Patricia, stepdaughter, Dana Colgan, and granddaughter, Amber Bierilo of Rahway; and

WHEREAS, he is survived by his son, Robbie Johnson of Vineland; his daughter, Michelle Kohler of Long Island, and four granddaughters, Kyleigh, Mackenzie, Maryclaire, and Madelyn; and

WHEREAS, he is also survived by a sister, Lisa Parzow; a brother Robert Weltchek, and several nieces and nephews; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Gary Martin Weltchek and wishes to express sympathy to his family, relatives and friends at this time of their loss; and be it

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Carmelina (Carmela) Iaskolk, 90; and

WHEREAS, Mrs. Iaskolk was born in Italy and resided in Elizabeth for fifty-three years prior to moving to Lihue, Hawaii; and

WHEREAS, she was a seamstress for many years working for different clothing manufacturers in the Union County area; and

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

WHEREAS, she was predeceased by her husband, Riciotta Iaskolk. Surviving are two sons, Rosaio and Anthony Iaskolk, and a granddaughter, Stephanie Iaskolk; 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 Carmelina Carmela Iaskolk 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

9:00 p.m.

APPROVED

FRANK J. CUESTA
President of City Council

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