PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
March 27, 2012
7:30 p.m.

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

Council President Gonzalez announced that this regular meeting is listed in the "Annual Notice", as defined by Chapter 231, P.L. 1975, and that copies of the "Annual Notice" have been mailed or delivered to the Star Ledger, Home News and Tribune, and Cablevision of Elizabeth and posted and filed in the City Clerk's Office in compliance with the terms of the Open Public Meetings Law, Chapter 231, P.L. 1975 on December 27, 2011.

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

ABSENT:

ALSO PRESENT: Raymond T. Bolanowski, First Assistant City Attorney
John J. Reilly, Esq.

PUBLIC SPEAKING

Mr. Robert Kerns, an Elizabeth resident, stated that there are nine members of City Council and which side will evict the occupant of the White House?

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

PUBLIC HEARINGS

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4293**, entitled:

REFUNDING BOND ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL IMPROVEMENT BONDS OF THE CITY AND APPROPRIATING AN AMOUNT NOT EXCEEDING $8,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $8,800,000 REFUNDING BONDS OF THE CITY OF ELIZABETH FOR FINANCING THE COST THEREOF

This ordinance was adopted on its first reading at the meeting of City Council held on **February 28, 2012.**

The Notice of Public Hearing was published in the Star Ledger issue of **March 15, 2012.**

The Clerk read the foregoing ordinance by title and Council President Gonzalez 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 Gonzalez declared the public hearing portion of the meeting closed.

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4294**, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO KLEINFELDER, EAST, INC., THREE AAA DRIVE, FIRST FLOOR, HAMILTON, NEW JERSEY 08691, ON BEHALF OF EXXONMOBIL ENVIRONMENTAL SERVICES COMPANY, TO PERFORM ENVIRONMENTAL REMEDIATION WORK WITHIN THE PUBLIC RIGHT-OF-WAY OF SOUTH FIFTH STREET AND THIRD AVENUE TO INCLUDE EIGHT (8) SOIL BORINGS; TWO (2) TEMPORARY WELL POINTS AND TWO (2) MONITORING WELLS PURSUANT TO N.J. DEPARTMENT OF ENVIRONMENTAL PROTECTION REGULATIONS.

This ordinance was adopted on its first reading at the meeting of City Council held on **March 13, 2012.**

The Notice of Public Hearing was published in the Star Ledger issue of **March 19, 2012.**

The Clerk read the foregoing ordinance by title and Council President Gonzalez 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 Gonzalez declared the public hearing portion of the meeting closed.

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4295**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR SANTA NIVAR, 173 JACQUES STREET, ELIZABETH, NEW JERSEY 07201.

This ordinance was adopted on its first reading at a meeting of City Council held on **March 13, 2012.**

The Notice of Public Hearing was published in the Star Ledger issue of **March 19, 2012.**

The Clerk read the foregoing ordinance by title and Council President Gonzalez 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 Gonzalez declared the public hearing portion of the meeting closed.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated March 14, 2012, from the Business Administrator recommending the award of a contract to Office Solutions, Inc., 217 Mount Horeb Road, Warren, NJ, for the purchase of telecommunications equipment wired for various departments for the period of March 12, 2012 through March 13, 2013, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated March 16, 2012, from the Business Administrator recommending the award of a contract to Garden State Fireworks, 383 Carlton Road, Millington, NJ, for the furnishing of fireworks for the Fourth of July Fireworks Display for the Recreation Department in the amount of $16,900.00.
Which was received.

By the Clerk:
Letter dated March 16, 2012, from the Business Administrator recommending the award of a contract to Avaya, Inc., 161 Cliveden Drive, Newtown, PA, for the purchase of telecommunications equipment wired for various departments for the period of February 1, 2012 through February 1, 2013, at a cost not to exceed $80,000.00.
Which was received.

By the Clerk:
Letter dated March 16, 2012, from the Business Administrator requesting authorization for Alliance Transportation, LLC., (Alliance) 67 Remson Avenue, New Brunswick, NJ. to operate as an Autobus pursuant to Chapter 5.16 of the Code of the City of Elizabeth; traveling to and from Dayton, NJ, North Brunswick, NJ, Cranbury, NJ, Edison, NJ, and South River, NJ; having six (6) vans in operation and they will be parked at 67 Remson Avenue, New Brunswick, NJ.
Which was received.

By the Clerk:
Letter dated March 16, 2012, from the Business Administrator recommending the award of a contract to First Priority Emergency Vehicles, Inc., 2444 Ridgeway Blvd., Manchester, NJ, for one (1) EMS CBRNE/DECON Support Vehicle in the amount of $180,080.00.
Which was received.

By the Clerk:
Letter dated March 16, 2012, from the Business Administrator requesting a waiver of the residency requirement for Emergency Medical Technician Lattwana Cylear, for a one year period.
Which was received.

By the Clerk:
Letter dated March 16, 2012, from the Business Administrator requesting a waiver of the residency requirement for Emergency Medical Technician Matthew Blaskewicz, for a one year period.
Which was received.

By the Clerk:
Letter dated March 16, 2012, from the Business Administrator requesting a waiver of the residency requirement for Emergency Medical Technician Tanaya Atlantic, for a one year period.
Which was received.

By the Clerk:
Letter dated March 19, 2012, from the Business Administrator requesting that your Honorable Body consider a resolution calling for the restoration of energy taxes to municipalities.
Which was received.

By the Clerk:
Letter dated March 20, 2012, from the Business Administrator recommending the award of a contract to SHI/Everbridge, 290 Davidson Avenue, Somerset, NJ, for a Reverse 911 System, which includes software and technical support, in an amount not to exceed $75,000.00.
Which was received.

By the Clerk:
Letter dated March 20, 2012, from the Business Administrator recommending the award of a contract, funded by the New Jersey Transportation Trust Fund Authority Act, 2010 Safe Streets and Neighborhoods Program, to Johnston Communications, P.O. Box 390, Kearny, NJ, for the purchase of any equipment and the design of the North Avenue and Broad Street Corridor, CCTV Public Security System, for the period of March 27, 2012 to March 26, 2013, in an amount not to exceed $300,000.00.
Which was received.

By the Clerk:
Letter dated March 20, 2012, from the Chief Financial Officer advising that additional grants may be appropriated in the 2012 SFY Budget by budget amendments
Which was received.

By the Clerk:
Letter dated March 20, 2012, from the Chief Financial Officer requesting that your Honorable Body review and discuss the City's completed 2012 SFY "Best Practices" Inventory at a public meeting in order to receive 100% State Aid.
Which was received.

By the Clerk:
Letter dated March 12, 2012, from the Director of Planning and Community Development requesting to rescind the resolutions adopted November 9, 2011 and December 9, 2011, extending the 2010-2011 Community Development Block Grant (CDBG) contract with Tri-County American Red Cross, specifically due to the extension being applied to the Community Development Block Grant contract instead of the Emergency Shelter Grant contract and authorize to extend the Emergency Shelter Grant (ESG) contract with Tri-County American Red Cross for the period of June 30, 2011 to June 30, 2012.
Which was received.

By the Clerk:
Letter dated March 19, 2012, from the Director of Planning and Community Development requesting permission for the proper City officials to execute all necessary documents to the U.S. Department of Housing and Urban Development (HUD) a Substantial Amendment to the Funding Year 2011 Consolidated Plan for CD-37 to include applications for funding and an Action Plan for the Emergency Solutions Grant (ESG) for an additional $51,753.00; initial allocation was for $92,006.00, raising the total allocation to $143,759.00.
Which was received.

By the Clerk:
Letter dated March 19, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute all necessary documents to the U.S. Department of Housing and Urban Development (HUD) a Consolidated Plan for CD-38, FY 2012 to include applications for funding and an Action Plan for Community Development Block Grant (CDBG), in the amount of $1,865,232.00, a decrease of $35,894.00, Emergency Shelter Grant (ESG), in the amount of $164,633.00, an increase of $51,753.00, and HOME Program, in the amount of $730,502.00, a decrease of $594,710.00 from Funding Year 2011.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated March 20, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into an agreement with Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, NJ, for the purchase of Health Care Apparatus, material and activities for the Brother Bonaventure Extended Care Center in the amount of $5,000.00.
Which was received.

By the Clerk:
Letter dated March 12, 2012, from the Director of Public Works requesting permission to have liens placed against the properties listed on Schedule A attached hereto and made a part thereof for the boarding up of said properties in the amount of $4,761.41.
Which was received.

By the Clerk:
Letter dated March 12, 2012, from the Director of Public Works requesting permission to have liens placed against the properties listed on Schedule A attached hereto and made a part thereof for the removal and disposal of debris from said properties in the amount of $2,434.15.
Which was received.

By the Clerk:
Letter dated March 16, 2012, from the Director of Public Works recommending the award of a contract to J.C. Contracting, Inc., 1745 Silverton Road, Toms River, NJ, for the traffic signal installation at North Broad Street and Westfield Avenue at a cost of $186,060.00.
Which was received.

By the Clerk:
Letter dated March 19, 2012, from the Director of Public Works requesting approval of Change Order No. 1 to the contract awarded to J.C. Contracting, Inc., 1745 Silverton Road, Toms River, NJ, for the traffic signal installation at West Jersey Street at Union Street – Elizabethtown Plaza and Broad Street at Caldwell Place at an original cost of $363,590.00, providing further for final quantities adjustments, which represents an increase of $4,192.65; raising the amount of the contract to $367,782.65.
Which was received.

By the Clerk:
Letter dated March 8, 2012, from the Police Director recommending the establishment of a loading zone for use by Avenue Furniture, 941 Elizabeth Avenue, Elizabeth, to be installed on Reid Street between the hours of 8 a.m. to 7 p.m., Monday through Saturday.
Which Was Referred To Council As A Whole.

By the Clerk:
Letter dated March 8, 2012, from the Police Director requesting to establish and delete handicapped parking spaces in and from the following locations: 900 Second Avenue (personalized), 1048 North Avenue (personalized), 569 Jefferson Avenue (personalized), 1019 Emma Street, 612 Magnolia Avenue, 364 Cherry Street, 556 Marshall Street, 215 Pine Street, 1023 Flora Street, 563 Jefferson Avenue; disapproved: 1051 Lafayette Street, 17 Sayre Street; deletions: 18 Delaware Street (personalized), 1135 Fairmount Avenue (personalized), 243 Orchard Street, 527 Walnut Street, 83 Westfield Avenue.
Which was received.

By the Clerk:
Letter dated March 12, 2012, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the COPS Hiring Program Grant to provide funds to hire 15 new police officers in an amount not to exceed $3,500,000.00.
Which was received.

By the Clerk:
Letter received January 27, 2012, from AWT Environmental Services, P.O. Box 128, Sayreville, NJ, requesting an Encroachment Permit to perform environmental remediation work within the public right-of-way of 537 Elizabeth Avenue.
Which was received.

By the Clerk:
Letter dated March 12, 2012, from the Haitian Flag Day Planning Committee of New Jersey, Inc., P.O. Box 165, Elizabeth, NJ, requesting permission to conduct a flag raising on Friday, May 18, 2012, in front of City Hall from 9:30 a.m. to 10:30 a.m. and a Haitian Flag Day Cultural Event ,"A Taste of Haiti," on Sunday, May 13, 2012, in front of City Hall from 1 p.m. to 5 p.m.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter dated March 27, 2012, 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, March 23, 2012.
Which was received.

ORDINANCES ON FIRST READING

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No.** 4296 , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO AWT ENVIRONMENTAL SERVICES, INC., P.O. BOX 128, SAYREVILLE, NEW JERSEY 08872, ON BEHALF OF ACACIO NASCIMENTO, 537 ELIZABETH AVENUE, ELIZABETH, NEW JERSEY 07026, TO PERFORM ENVIROMENTAL REMEDIATION WORK WITHIN THE PUBLIC RIGHT-OF-WAY AT 537 ELIZABETH AVENUE, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4297** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR MIRIAM F. VELIZ, 1048 NORTH AVENUE, ELIZABETH, NEW JERSEY 07201.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4298** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR GLORIA RICARI, 569 JEFFERSON AVENUE, ELIZABETH, NEW JERSEY 07201.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4299** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3746, ADOPTED ON AUGUST 23, 2005, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ANTONIA G. PRIETO, 18 DELAWARE STREET, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4300** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO RESCIND ORDINANCE NO. 3855, ADOPTED ON OCTOBER 10, 2006, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR MAMIE L. TYLER, 1135 FAIRMOUNT AVENUE, ELIZABETH, NEW JERSEY.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4301** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT
OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR
JENNIFER L. ROSAL, 900 SECOND AVENUE, ELIZABETH, NEW JERSEY 07201.

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that public notice will be published fixing Tuesday, April 10, 2012 , 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. 4296, 4297, 4298, 4299, 4300, and 4301, adopted on first reading.

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ORDINANCES ON FINAL PASSAGE

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4293**, which was seconded by Councilman Cuesta:

REFUNDING BOND ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL IMPROVEMENT BONDS OF THE CITY AND APPROPRIATING AN AMOUNT NOT EXCEEDING $8,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $8,800,000 REFUNDING BONDS OF THE CITY OF ELIZABETH FOR FINANCING 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 City of Elizabeth, in the County of Union, New Jersey (the "City"), is hereby authorized to refund all or a part of the City's General Improvement Bonds, Series 2003, dated May 15, 2003, maturing on May 15 in the years 2014 to 2018, inclusive, in the aggregate principal amount of $8,350,000, such bonds being subject to redemption on any date on or after May 15, 2013 at a redemption price of 100% of the maturing principal, plus accrued interest to the redemption date.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not to exceed $8,800,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding $150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purpose of the refunding is to provide for savings in the debt service payable by the City with respect to its outstanding obligations.

Section 5. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **February 28, 2012.**

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 **March 15, 2012.**

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4294** , which was seconded by Councilman Cuesta:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO KLEINFELDER, EAST, INC., THREE AAA DRIVE, FIRST FLOOR, HAMILTON, NEW JERSEY 08691, ON BEHALF OF EXXONMOBIL ENVIRONMENTAL SERVICES COMPANY, TO PERFORM ENVIRONMENTAL REMEDIATION WORK WITHIN THE PUBLIC RIGHT-OF-WAY OF SOUTH FIFTH STREET AND THIRD AVENUE TO INCLUDE EIGHT (8) SOIL BORINGS; TWO (2) TEMPORARY WELL POINTS AND TWO (2) MONITORING WELLS PURSUANT TO N.J. DEPARTMENT OF ENVIRONMENTAL PROTECTION REGULATIONS.

WHEREAS, the Division of Engineering has reviewed an Environmental Encroachment Remediation Work for the Encroachment Permit for the Public Right-of-Way of South Fifth Street and Third Avenue Permit Application sent by Mr. Erik Person, Hydrologist with Kleinfelder for soil and groundwater delineation requirements, for four (4) soil borings in South Fifth Street, two (2) temporary well points and two (2) monitoring wells in the sidewalk of South Fifth Street and four (4) soil borings in Third Avenue, which are all depicted in a plan signed, sealed and dated February 2012 by Paul C. Lucuski, PE of Kleinfelder; and

WHEREAS, the encroachment permit application of perform the referenced work within the public right-of-way of South Fifth Street and Third Avenue is administratively complete; and

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

SECTION 1. - That an encroachment permit be granted to **Kleinfelder East, Inc., Three AAA Drive, First Floor, Hamilton, New Jersey 08691,** on behalf of **ExxonMobil Environmental Services Company (ExxonMobil),** to perform environmental remediation work within the public right-of-way of South Fifth Street and Third Avenue to include eight (8) soil borings; two (2) temporary well points and two (2) monitoring wells pursuant to N.J. Department of Environmental Protection regulations and as set forth in a detailed plan signed and dated a plan signed, sealed and dated February 2012 by Paul C. Lucuski, PE of Kleinfelder.

SECTION 2. - The Permittee shall provide a liability insurance certificate in the aggregate amount determined by the City Engineer for property damage and personal injury naming the City of Elizabeth as an additional insured and giving the City a thirty (30) day notice of cancellation of policy. The Permittee shall also be responsible for all maintenance with regard to the encroachment.

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

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

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

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **March 13, 2012.**

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 **March 19, 2012.**

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4295** , which was seconded by Councilman Cuesta:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR SANTA NIVAR, 173 JACQUES STREET, ELIZABETH, NEW JERSEY 07201.

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

SECTION 1. - A personalized handicapped parking space for **Santa Nivar** established in front of **173 Jacques Street, Elizabeth, New Jersey 07201** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the East curb line of Jacques Street beginning at a point 164' South of Livingston Street and continuing 22' South 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 **March 13, 2012.**

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 **March 19, 2012.**

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

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

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $200,000 for the Brownfields Community Wide Assessment-Hazardous awarded by the U.S. Environmental Protection Agency and wishes to amend its FY2012 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 2012 in the total sum of $200,000 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:

U.S. Environmental Protection Agency Brownfields Community Wide Assessment-Hazardous	$200,000

BE IT FURTHER RESOLVED, that a like sum of $200,000 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:

U.S. Environmental Protection Agency Brownfields Community Wide Assessment-Hazardous Other Expenses	$200,000

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, Cuesta, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

NEGATIVE: None

By City Council as a Whole:

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

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

WHEREAS, the City of Elizabeth will receive an amount of $200,000 for the Brownfields Community Wide Assessment-Petroleum awarded by the U.S. Environmental Protection Agency and wishes to amend its FY2012 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 2012 in the total sum of $200,000 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:

U.S. Environmental Protection Agency Brownfields Community Wide Assessment-Petroleum	$200,000

BE IT FURTHER RESOLVED, that a like sum of $200,000 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:

U.S. Environmental Protection Agency Brownfields Community Wide Assessment-Petroleum Other Expenses	$200,000

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, Cuesta, Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 9

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Division of Local Government Services in compliance with the SFY 2012 Appropriations Act (P.L. 2011, c.85) requires that the Honorable City Council review and discuss the City's completed 2012 SFY 'Best Practices' Inventory at a public meeting; and

WHEREAS, the 2012 SFY 'Best Practices' Inventory is a computer worksheet that must be addressed and completed by the City Administration and reviewed and discussed by City Council at a public meeting in order to receive 100% State Aid; and

WHEREAS, the City Clerk must complete the 2012 SFY 'Best Practices' Public Meeting Certification Form pursuant to the City Council's review and discussion and submit same to the Department of Community Affairs; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth hereby states that it has complied with the promulgation of the Division of Local Government Services of the State of New Jersey in compliance with the SFY 2012 Appropriations Act (P.L. 2011, c.85) whereby the City Council reviewed and discussed the 2012 SFY Best Practices Inventory on March 27, 2012; and be it

FURTHER RESOLVED, that the City Clerk submit the completed 2012 SFY 'Best Practices' Public Meeting Certification Form to the Department of Community Affairs.

NOTE: The above referenced 2012 SFY 'Best Practices' Inventory is on file in the City Clerk's Office.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLUTION CALLING FOR THE RESTORATION OF ENERGY TAXES TO MUNICIPALITIES

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, from $72 million in State Fiscal Year 2005, to $505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about $26 million in 2008 and $32 million in 2009, followed by losses of about $271 million in 2010; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services;

NOW THEFORE BE IT RESOLVED, by the Mayor and Governing Body of **Elizabeth**, that we join with the League of Municipalities in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

BE IT FURTHER
RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FINALLY
RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended per the request of the Supervisor of Data Processing an award of a contract to **Office Solutions, Inc., 217 Mount Horeb Road, Warren, New Jersey 07059**, for the purchase of Telecommunications Equipment Wired for various departments for the period of March 12, 2012 through March 13, 2013 at a cost not to exceed $50,000.00 under State Contract No. 80802; and

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

WHEREAS, the Chief Financial Officer shall execute the Certificate of Availability of Funds at each time an order is placed, and covering the amount of the order, and said execution is to be made just before this City incurs a contractual liability on its part; 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. 80802 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 **Office Solutions, Inc., 217 Mount Horeb Road, Warren, New Jersey 07059**, for the purchase of Telecommunications Equipment Wired for various departments for the period of March 12, 2012 through March 13, 2013 at a cost not to exceed $50,000.00 under State Contract No. 80802.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended per the request of the Purchasing Agent of Data Processing an award of a contract to **AVAYA, INC., 161 Cliveden Drive, Newtown, PA 18940,** for the purchase of Telecommunications Wired for various departments for the period of February 1, 2012 through February 1, 2013, at a cost not to exceed $80,000.00 under State Contract No. 80802; and

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

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

WHEREAS, the Chief Financial Officer shall execute the Certificate of Availability of Funds at each time an order is placed, and covering the amount of the order, and said execution is to be made just before this City incurs a contractual liability on its part; 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. 80802 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 **AVAYA, INC., 161 Cliveden Drive, Newtown, PA 18940,** for the purchase of Telecommunications Wired for various departments for the period of February 1, 2012 through February 1, 2013, at a cost not to exceed $80,000.00 under State Contract No. 80802.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended an award of a contract be made to **Garden State Fireworks, Inc., 383 Carlton Road, Millington, New Jersey 07946,** being the lowest responsible bidder meeting all the specifications for the furnishing of the Fourth of July Fireworks Display for the Recreation Department in the amount of $16,900.00, and more specifically described in the bid received on March 15, 2012, and on file in the Office of the Purchasing Agent; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-07233, charging the amount of $16,900.00 to Account Number 2-01-28-370-REC-325 of the Municipal Budget, is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED by City Council of the City of Elizabeth that **Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey 07946,** being the lowest responsible bidder meeting all the specifications is hereby awarded the contract for the furnishing of the Fourth of July Fireworks Display for the Recreation Department in the amount of $16,900.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has advised that sealed bids were received and opened on March 13, 2012 by the Purchasing Agent for the furnishing of a EMS CBRNE/DECON Support Vehicle for the Department of Fire, Division of Ambulance Service; and

WHEREAS, the Business Administrator and the Purchasing Agent per the recommendation of the Fire Director have requested the award of a contract to **First Priority Emergency Vehicles, Inc., 2444 Ridgeway Blvd., Manchester, N.J. 08759,** for one (1) EMS CBRNE/DECON Support Vehicle in the amount of $180,080.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-07228, charging the amount of $180,080.00 to Account No. G-02-41-853-12 of the Municipal Budget is on file in the Office of the City Clerk; 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 **First Priority Emergency Vehicles, Inc.;** now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to the lowest responsible bidder **First Priority Emergency Vehicles, Inc., 2444 Ridgeway Blvd., Manchester, N.J. 08759,** for one (1) EMS CBRNE/DECON Support Vehicle in the amount of $180,080.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has recommended an award of a contract to **SHI/EVERBRIDGE, 290 Davidson Avenue, Somerset, New Jersey 08873**, for a Reverse 911 System, which includes software and technical support, in an amount not to exceed $75,000.00 under State Contract No. 77560; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-07611, charging the amount of $75,000.00 to Account No. G-2-01-25-240-POL-325 of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 77560 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 **SHI/EVERBRIDGE, 290 Davidson Avenue, Somerset, New Jersey 08873**, for a Reverse 911 System, which includes software and technical support, in an amount not to exceed $75,000.00 under State Contract No. 77560.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested an award of a contract to **Johnston Communications, PO Box 390, Kearney, New Jersey 07032,** to provide for the purchase of the for any equipment and the design of the of the North Avenue and Broad Street Corridor - CCTV Public Security System, funded by the N. J. Transportation Trust Fund Authority Act, 2010 Safe Streets and Neighborhoods Program for the period March 27, 2012 to March 26, 2013 in an mount not to exceed $300,000.00 under State Contract No. 73979; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-07610, charging the amount of $300,000.00 to Account No. G-02-02-04-831-11 of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, State Contracts are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; 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. 73979 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 **Johnston Communications, PO Box 390, Kearney, New Jersey 07032,** to provide for the purchase of the for any equipment and the design of the of the North Avenue and Broad Street Corridor - CCTV Public Security System, funded by the N. J. Transportation Trust Fund Authority Act, 2010 Safe Streets and Neighborhoods Program for the period March 27, 2012 to March 26, 2013 in an mount not to exceed $300,000.00 under State Contract No. 73979.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for **ALLIANCE TRANSPORTATION, LLC (Alliance)** to operate as an Autobus pursuant to Chapter 5.16 of the Code of the City of Elizabeth; and

WHEREAS, a copy of the routes **ALLIANCE TRANSPORTATION, LLC (Alliance)** will be traveling are file in the Office of the Municipal Clerk; and

WHEREAS, in addition, **ALLIANCE TRANSPORTATION, LLC** will be traveling to and from Dayton, New Jersey, North Brunswick, New Jersey, Cranbury, New Jersey, Edison, New Jersey and South River, New Jersey; and

WHEREAS, ALLIANCE TRANSPORATION vans in operation will be parked at Remson Avenue, New Brunswick, New Jersey 08901; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes **ALLIANCE TRANSPORTATION, LLC (Alliance)** to operate as an Autobus for the routes that are on file in the Office of the Municipal Clerk pursuant to Chapter 5.16 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has recommended an award of contract be made to **TRINITAS REGIONAL MEDICAL CENTER, 225 Williamson Street, Elizabeth, New Jersey 07207,** for the purchase of Health Care Apparatus, material and activities for the Brother Bonaventure Extended Care Center in the amount of $5,000.00; and

WHEREAS, it serves long-term and sub-acute patients requiring the use of special apparatus and materials to avoid stagnation and vegetation. The Center services 120 patients, of which 75% are Elizabeth residents; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-07612 charging the amount of $5,000.00 to Account No. 2-21-56-182 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 enter into an agreement with **TRINITAS REGIONAL MEDICAL CENTER, 225 Williamson Street, Elizabeth, New Jersey 07207,** for the purchase of Health Care Apparatus, material and activities for the Brother Bonaventure Extended Care Center in the amount of $5,000.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has advised that on March 15, 2012 six (6) bids were received for the traffic signal installation at North Broad Street and Westfield Avenue; and

WHEREAS, the Director of the Department of Public Works has requested authorization to award a contract to the lowest responsible bidder **J. C. Contracting, Inc, 1745 Silverton Road, Toms River, New Jersey 08753,** for the traffic signal installation at North Broad Street and Westfield Avenue at a cost of $186,060.00; and

WHEREAS, the traffic light at this location is now obsolete and is being replaced in conjunction with the North Broad Street Streetscape; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-07576, charging the amount of $186,060.00 to Account No. X-04-55-999-X33-001 of the Municipal Budget is on file in the Office of the City Clerk; 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 **J. C. Contracting, Inc.;** now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to the lowest responsible bidder **J. C. Contracting, Inc, 1745 Silverton Road, Toms River, New Jersey 08753,** for the traffic signal installation at North Broad Street and Westfield Avenue in conjunction with the North Broad Street Streetscape at a cost of $186,060.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has requested authorization to approve Change Order No. 1 to the contract awarded to **J. C. Contracting, Inc., 1745 Silverton Road, Toms River, New Jersey 08753**, which represents the final close-out for the traffic signal installation of two (2) locations, West Jersey Street at Union Street, Elizabethtown Plaza and Broad Street at Caldwell Street; and

WHEREAS, this Change Order is for the final quantities adjustments, which represent as-built conditions. The quantities have been adjusted from the estimated bid quantities to the final as-built quantities. This project is complete; and

WHEREAS, the final contract price is $367,782.65, which represents and increase of 1.15% or $4,192.65 from the original contract price of $363,590.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12097578, charging the amount of $4,192.65 to Account No. X-04-55-999-X30-001, of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes Change Order No. 1, with **J. C. Contracting, Inc., 1745 Silverton Road, Toms River, New Jersey 08753**, which represents the final close-out for the traffic signal installation of two (2) locations, West Jersey Street at Union Street, Elizabethtown Plaza and Broad Street at Caldwell Street. This Change Order is for the final quantities adjustments, which represent as-built conditions. The quantities have been adjusted from the estimated bid quantities to the final as-built quantities. This project is complete. The final contract price is $367,782.65, which represents an increase of 1.15% or $4,192.65 from the original contract price of $363,590.00.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to prepare and submit to the U.S. Department of Housing and Urban Development (HUD) a Consolidated Plan for CD-38, Fiscal year 2012 to include applications for funding and an Action Plan for Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG) and HOME Program; and

WHEREAS, as required by HUD, on May 15, 2012, the City of Elizabeth will submit a Consolidated Plan for Fiscal Year 2012. This Consolidated Plan incorporates into a single submission the applications for funding for the following formula grant allocations for: CDBG - $1,865,232.00, a decrease of $35,894.00, ESG - $164,633.00, an increase of $51,753.00 and HOME - $730,502.00 a decrease of $594,710 from Funding Year 2011. The funding goals of the aforementioned grants are to provide decent housing, to provide a suitable living environment and to expand economic opportunities; and be it

FURTHER RESOLVED that the proper City Officials are authorized to execute any and all necessary documents associated with the aforementioned grants.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE;

WHEREAS, the Director of the Department of Planning and Community Development has requested authorization to prepare and submit to the U.S. Department of Housing and Urban Development (HUD) a Substantial Amendment to the Funding Year 2011 Consolidated Plan for CD-37 to include applications for funding and an Action Plan for the Emergency Solutions Grant (ESG) for an additional $51,753.00. The initial allocation was for $92,006.00, The total will now be $143,759.00; and

WHEREAS, as required by HUD, on May 15, 2012, the City of Elizabeth will submit a Substantial Amendment to the Consolidated Plan for Fiscal Year 2011 for the Emergency Solutions Grant for the additional sum of $51,753.00; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to submit to the U.S. Department of Housing (HUD) a Substantial Amendment to the Funding Year 2011 Consolidated Plan for CD-37 to include applications for funding and an Action Plan for the Emergency Solutions Grant (ESG) for an additional $51,753.00. The initial allocation was for $92,006.00. The total allocation for ESG will now be $143,759.00; and be it

FURTHER RESOLVED that the proper City Officials are authorized to execute any and all necessary documents associated with the aforementioned grants.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

RESOLVED, that a resolution adopted on November 9, 2011 by the City Council of the City of Elizabeth extending the period for a grant contract with Tri-County American Red Cross from June 30, 2011 to June 30, 2012 is hereby rescinded.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Planning and Community Development has requested that the contract with Tri-County American Red Cross for the Emergency Shelter Grant (ESG) be extended for a period of one (1) year from June 30, 2011 to June 30, 2012; and

WHEREAS, this extension will allow the Tri-County American Red Cross to draw down its remaining balance available in the Emergency Shelter Grant; now therefore, be it

RESOLVED, that the Emergency Shelter Grant contract with the Tri-County American Red Cross be extended for a period for a one (1) year from June 30, 2011 to June 30, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Director of the Fire Department have recommended a waiver of residency for **Lattwana Cylear**, Emergency Medical Technician, in the Police Department, for a period of one (1) year from August 6, 2009 notwithstanding the fact that **Lattwana Cyclear** is not a resident of the City of Elizabeth; and

WHEREAS, the Fire Director has recommended waiving the residency requirement for municipal employees as required by Chapter 2.104.060 of the Code of the City of Elizabeth with regard to **Lattwana Cyclear** because of her specialized talents, as permitted by Chapter 2.104.060C of the Code of the City of Elizabeth; and

WHEREAS, the Business Administrator has concurred in the above recommendations; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby approve the exception to residency referred to above for a one year period commencing August 6, 2008, unless further extension is granted by the action of this Governing Body, for **Lattwana Cyclear**, with respect to her employment with the City of Elizabeth pursuant to Chapter 63.11 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted], Keenan, [redacted], Gallman, [redacted] and President Gonzalez - [redacted] 6

NEGATIVE: [redacted] GROVA, CEDENO, MAZZA - 3

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Director of the Fire Department has recommended a waiver of residency for **Matthew Blaskewicz, Emergency Medical Technician,** of the EMS Division of the Elizabeth Fire Department, for the approval of one (1) year effective March 27, 2012 notwithstanding the fact that **Matthew Blaskewicz** is not a resident of the City of Elizabeth; and

WHEREAS, a waiver of the residency requirement for municipal employees as required by Chapter 2.104.of the Code of the City of Elizabeth is permitted by Chapter 2.104.060C of the Code of the City of Elizabeth; and

WHEREAS, the Chief Financial Officer has concurred in the above recommendations; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby approve the exception to residency requirement referred to above for **Matthew Blaskewicz, Emergency Medical Technician,** of the EMS Division of the Elizabeth Fire Department, for the period of one (1) year effective March 27, 2012, with respect to his employment with the City of Elizabeth pursuant to Chapter 2.104.070 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted], Keenan, [redacted], Gallman, [redacted], and President Gonzalez - 6

NEGATIVE: [redacted] GROVA, CEDENO, MAZZA – 3

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Director of the Fire Department has recommended a waiver of residency for **Tanaya Atlantic, Emergency Medical Technician**, of the EMS Division of the Elizabeth Fire Department, for the approval of one (1) year effective March 27, 2012 notwithstanding the fact that **Tanaya Atlantic** is not a resident of the City of Elizabeth; and

WHEREAS, a waiver of the residency requirement for municipal employees as required by Chapter 2.104.of the Code of the City of Elizabeth is permitted by Chapter 2.104.060C of the Code of the City of Elizabeth; and

WHEREAS, the Chief Financial Officer has concurred in the above recommendations; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby approve the exception to residency requirement referred to above for **Tanaya Atlantic, Emergency Medical Technician,** of the EMS Division of the Elizabeth Fire Department, for the period of one (1) year effective March 27, 2012, with respect to his employment with the City of Elizabeth pursuant to Chapter 2.104.070 of the Code of the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, Jackus, [redacted], Keenan, [redacted], Gallman, [redacted], and President Gonzalez - [redacted] 6

NEGATIVE: [redacted] GROYA, CEDENO, MAZZA – 3

BY CITY COUNCIL AS A WHOLE:

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

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

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

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

Certificate Invoice March 12, 2012 Total Amount: $2,434.15.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works after notice from the Police Department has caused the boardup of properties listed on **Schedule A** attached hereto and made a part hereof; and

WHEREAS, the buildings or structures listed on the attached **Schedule A** have become unsafe, or unsanitary or are otherwise dangerous to human life or the public welfare or which by reasons of illegal or improper use or occupancy have become unsafe; and

WHEREAS, structures on premises listed on the attached **Schedule A** meet one or more of the criteria hereinabove mentioned; and

WHEREAS, the Department of Public Works has caused to be boarded up the structures on premises listed on the attached **Schedule A** and the owners having been notified of the cost to the City in the amounts as set fort on the attached **Schedule A** and said costs not having been paid to the City of Elizabeth as required and the Director of Public Works having issued Certificates to City Council of the cost to the City in the amounts listed on the attached **Schedule A;** and

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

RESOLVED by the City Council of the City of Elizabeth that the costs shown on the Certificates of the Public Works Director of the City of Elizabeth for the boarding up of structures on premises and the costs listed on **Schedule A** attached hereto and made a part hereof is hereby established as a lien upon the lands listed on the attached Schedule A, which said lien shall hereafter form a part of the taxes next to be assessed and levied upon said lands, the same to bear interest at the same rate as taxes and to be collected and enforced by the same officers and in the same manner as taxes, in accordance with the provisions of **N.J.S.A.** 40:48-2.5 and the provisions of the Code of the City of Elizabeth.

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

Certificate/Invoice March 12, 2012 Total Amount $4,761.41.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of Police Department has requested authorization for the proper City Officials to apply for, accept and sign all appropriate documents for the COPS Hiring Program (CHP) Grant ; and

WHEREAS, the CHP Grant program is administered through the U.S. Department of Justice, Office of Community Oriented Policing Services. It was designed to create and preserve jobs, and as to increase community policing capacity and crime prevention efforts; and

WHEREAS, with anticipated grant funds, the City of Elizabeth will seek to hire as many police officers as the U.S. Dept. of Justice determines. Through anticipated grant funds, the Elizabeth Police Department will increase community police patrols throughout the City's six wards, improving the ability to address concerns and deliver services through creating collaborative working relationships with residents; and

WHEREAS, this grant will immensely contribute to the interoperability of the City of Elizabeth's Police Department as well as enhance available law enforcement resources to create safer neighborhoods and improve the overall quality of life; now, therefore, be it

RESOLVED that the proper City Officials are authorized to apply, accept and sign all appropriate documents for the COPS Hiring Program (CHP) Grant to hire as many police officers as the U.S. Dept. of Justice determines.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **612 Magnolia Avenue, Elizabeth, New Jersey 07206**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Magnolia Avenue
beginning at a point 171' West of Sixth Street
and continuing 22' West thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **563 Jefferson Avenue, Elizabeth, New Jersey 07208,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Jefferson Avenue
beginning at a point 175' South of Fairmont Avenue
and continuing 22' South thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby amends Chapter 10.44.020 of the Code of the City of Elizabeth to delete the handicapped parking spaces at premises commonly known as **18 Delaware Street; 243 Orchard Street; 527 Walnut Street; 83 Westfield Avenue, Elizabeth, New Jersey** in accordance with the recommendation of the Police Director.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED, that a loading zone for the **Avenue Furniture, 941 Elizabeth Avenue, Elizabeth, New Jersey** on Reid Street, on the West side, Beginning 58' North of Elizabeth Avenue continuing 50' North thereof between the hours 8:00 a.m. through 7:00 p.m. Monday through Saturday.

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION

WHEREAS, in January 2006, the City commenced a condemnation action in the Superior Court of New Jersey, Union County, Law Division, bearing Docket No.: UNN-L-0017-06, entitled City of Elizabeth v. Supermarket at 70 Broadway, LLC, et. al., (the "Condemnation Action") to take by eminent domain for redevelopment purposes the property owned by Supermarket at 70 Broadway, LLC ("Supermarket") located at 60-90 Broadway, Elizabeth, New Jersey, and designated on the City's Tax Map as Lot 2, Block 604 (the "Property");

WHEREAS, by Consent Order for Judgment entered on January 26, 2009, just compensation for the Property was fixed in the amount of $3,500,000, as if the Property were environmentally remediated, which resolved all issues, but for the City's environmental escrow claim;

WHEREAS, based on then available information about the environmental condition of the Property, the City asserted in the Condemnation Action an initial environmental escrow estimate pursuant to Housing Auth. of New Brunswick v. Suydam Investors, LLC, 177 N.J. 2 (2003), in the amount of $955,000.00 (the "Environmental Escrow") against the proceeds of just compensation, which escrow amount remained on deposit in court;

WHEREAS, in 2011, Supermarket moved to withdraw from court the Environmental Escrow of $955,000 plus interest, which motion the City opposed;

WHEREAS, the City's consultant, Birdsall Services Group, continued to conduct environmental investigations at the Property on behalf of the City and revised downward its estimate of environmental remediation costs to $520,198.58 in late 2011; and

WHEREAS, on March 14, 2012, based on the City's having reduced its escrow estimate to $520,189.58, a Consent Order was entered directing the Clerk of the Superior Court to pay $434,810.42 plus all interest accrued on the Environmental Escrow to Supermarket, leaving on deposit the amount of the City's reduced escrow of $520,189.58;

WHEREAS, Supermarket's environmental consultant, First Environment, has estimated remediation costs in the amount of $164,200; and

WHEREAS, the City Attorney's office has concurred in a recommendation of John F. Reilly, Esq., the attorney for the City in the Condemnation Action to settle the remaining environmental claims of the City against Supermarket; and

WHEREAS, the Settlement Agreement provides that the City will receive $395,000.00 from the remaining funds in court to settle its environmental claims against Supermarket and the balance of funds remaining on deposit in court of $125,189.48 will be paid to Supermarket; and

WHEREAS, the Settlement Agreement provides that the City will defend and indemnify Supermarket and its members from any future suits against Supermarket with regard to the environmental condition of and the costs to investigate and remediate the Property; and

WHEREAS, Supermarket represents and warrants that, subsequent to the taking of the Property by the City, Supermarket purchased a single asset leasehold interest with the just compensation proceeds of the Condemnation Action, which Supermarket believes qualifies as replacement property pursuant to Section 1033 of the Internal Revenue Code, as a result of which Supermarket on October 13, 2011 changed its name to "Lemoine Leasehold, LLC", reflecting the replacement of the Property by the leasehold interest with all members of the LLC remaining the same as follows: Jonathan L. Abad, Andrea L. Abad, George A. Abad, Jr., and the Abad Family Realty Trust.

WHEREAS, Supermarket has indicated that it purchased as the replacement property a ground lease interest in property located at 2160 Lemoine Avenue in Fort Lee, New Jersey for which it is paid rent by A&P;

WHEREAS, the within settlement avoids the time, expense and risks of further litigation and uncertain outcome and avoids continuing delay in the City obtaining monies for its environmental claims against Supermarket.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Elizabeth hereby authorizes the settlement of the above-referenced matter as set forth herein above pursuant to a form of Settlement Agreement acceptable to the City's Law Department and a Consent Order dispersing the funds remaining on deposit in court in the Condemnation Action, including the amount of $395,000.00 to the City.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has received a request from the **Haitian Flag Day Planning Committee of New Jersey, Inc., P. O. Box 165, Elizabeth, New Jersey 07207,** to conduct their flag raising in front of City Hall on Friday, May 18, 2012 at 9:30 a.m. to 10:30 a.m. and to declare the month of May as Haitian Heritage Month, and a Haitian Flag Day Cultural Event, "A Taste of Haiti" on Sunday, May 13, 2012 in front of the City Hall of Elizabeth from 1:00 p.m. to 5:00 p.m.; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth does hereby grant permission to the **Haitian Flag Day Planning Committee of New Jersey, Inc., P. O. Box 165, Elizabeth, New Jersey 07207,** to conduct their flag raising in front of City Hall on Friday, May 18, 2012 at 9:30 a.m. to 10:30 a.m. and declares the month of May as Haitian Heritage Month and a Haitian Flag Day Cultural Event, "A Taste of Haiti" on Sunday, May 13, 2012 in front of the City Hall of Elizabeth from 1:00 p.m. to 5:00 p.m.

Which was adopted by the following vote:

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

BY CITY COUNCIL AS A WHOLE:

[redacted]

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

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

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

CONSTELLATION NEW ENERGY, INC.	**2-01-31-430**	**$**	**1,966.43**
ELIZABETHTOWN GAS	**2-01-31-446**	**$**	**24,344.69**
FLEETCOR TECHNOLOGIES SERVICES	**2-01-31-460**	**$**	**102,348.95**
NATIONAL TERMINAL, INC.	**2-01-31-447**	**$**	**7,313.96**
NEXTEL COMMUNICTIONS	**2-01-31-440**	**$**	**1,170.31**
PSE&G	**2-01-31-430**	**$**	**39,573.24**
RELIANT ENERGY NORTHEAST, LLC	**2-01-31-430**	**$**	**4,303.51**
USA MOBILITY	**2-01-31-440**	**$**	**213.20**
VERIZON	**2-01-31-440**	**$**	**1,115.49**
VERIZON WIRELESS	**2-01-31-440**	**$**	**17,793.99**
VERIZON COMMUNICATIONS, INC.	**2-01-31-440**	**$**	**187.08**

Which was adopted by the following vote:

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

NEGATIVE: None

[redacted]

BY COUNCIL AS A WHOLE:

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

ORGANIZATION	AG	B.L.	R.L.	DATE
St. Mary of the Assumption Church			5280	3-26-12
Rosary Confraternity of St. Mary		1330		4-01-12

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of recent death of Vito Anthony Mazza, 92; a lifelong resident of the City of Elizabeth; and

WHEREAS, he served as a technical sergeant in the U.S. Army from 1942 to 1946. He was stationed in Northern France for over a year, where he received numerous decorations; and

WHEREAS, Vito worked for the City of Elizabeth for over twenty-five years as a Supervisor at the Department of Public Works, he retired in 1982; and

WHEREAS, he is survived by his loving wife of sixty-five years, Anna Mazza; his caring daughter, Loisann Chryssikos and her husband, Frederick; adoring grandchildren, Cara Kacin and her husband, Thomas, and Michael Chryssikos and his wife, Melinda, and cherished great-grandchildren, Cameron, , Anna, Brady, Reese and Katelyn. Vito was predeceased by his brother, Joseph Pasquale, Rocco, Frank, John and Nicky, and sisters, Theresa, Margaret and Angelina; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Vito Anthony Mazza, 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 Donald M. "Ducky" Peterson, 77 of Elizabeth; and

WHEREAS, Donald M. Peterson was a retired Union County Sheriff's Officer; and

WHEREAS, Mr. Peterson is survived by his loving family, his children; Derek, Donald E., Darren and Shaane Peterson, Patricia Peterson-Williams, Donna Peterson-Durham and Tia Gissendaner; one brother, Edward Peterson, daughter and sons-in-law and a host of other loving relatives and very dear friends; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Donald M. "Ducky" Peterson, 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 Trayvon Martin, 17; and

WHEREAS, we know that his passing will not only leave a void in your lives, but in the hearts of all those who knew him; and

WHEREAS, we hope that you find courage and strength to bear this irreparable loss; now; therefore be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Trayvon Martin; 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.

The Honorable Members of City Council:

Nelson Gonzalez, President, Councilman, Second Ward
Patricia-Perkins Auguste, Councilwoman-at-Large
Frank J. Cuesta, Councilman-at-Large
Edward J. Jackus, Councilman-at-Large
Manny Grova, Jr., Councilman, First Ward
Joseph Keenan, Councilman, Third Ward
Carlos Cedeno, Councilman, Fourth Ward
William Gallman, Jr., Councilman, Fifth Ward
Frank O. Mazza, Councilman, Sixth Ward

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 Ada Sharpton, 86; and

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

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

The Honorable Members of City Council:

Frank J. Cuesta, President City Council
Edward J. Jackus, Councilman- at- Large
Patricia-Perkins Auguste, Councilwoman-at-Large
Manny Grova, Jr., First Ward, Councilman
Nelson Gonzalez, Second Ward Councilman
Joseph Keenan, Third Ward Councilman
Carlos Cedeno, Fourth Ward Councilman
William Gallman, Jr., Fifth Ward Councilman
Frank O. Mazza, Sixth Ward Councilman

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

Councilman Cuesta moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Gonzalez declared City Council adjourned at

8:00 p.m.

APPROVED

NELSON GONZALEZ
President of City Council

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