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PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
January 24, 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: Jorge Estrada, Special Counsel

NOTE: Councilman Jackus was excused from the meeting at 8:55 p.m.

PUBLIC SPEAKING

Mr. Carl Schiffbaumer, 137 West Jersey Street, spoke regarding the vehicle that hit the tanker truck this morning on Route 1 & 9 at the Bayway Circle.

Council President Gonzalez announced that it was an unfortunate situation when someone loses their life.

Mr. Greg Fulton, 135 Atkins Street, stated that it is critical to get the analysis of the Fifth Ward.

Ms. Patricia Jelly, Elizabeth Coalition, announced that there will be a town meeting with the Board of Education on February 2, 2012, to be held at Mt. Teman AME Church, Madison Avenue, at 6:30 p.m., regarding the Elizabeth Education System. She continued that she appreciates City Council because they put the public responses at the beginning of the meeting. She stated further that the Board of Education puts the public speaking at the end of the meeting.

Ms. Jelly stated that the Board of Education has raised the number of credits needed to graduate from 120 to 160 credits. She stated further that abutting school districts have a 120 credit requirement.

Mr. Jose Rodriguez, 618 Jackson Avenue, spoke of the moving of the School Election to November. He continued that the School Board will be allowed to raise the tax levy above 2% because the voters will not be voting on their budgets. .

Ms. Shakira Hunter and Ms. Leslie Swaggert spoke regarding City Council consider the Rutgers survey of the Fifth Ward.

Ms. Maria Darassi, 324 Franklin Street, announced that all of the parents should go to the Board of Education and address their concerns, but they make the parents wait until 10:00 p.m. or 11:00 p.m. before they can be heard. She continued that this is why "we come to Council" because the Public Speaking is held earlier.

Mr. Carlos Trujillo, 116 Fulton Street, Commissioner, Board of Education, congratulated Councilman Grova for wanting to run for Council-at-Large. He continued that he was riding around the City and has noticed a lot of street lights are out.

Commissioner Trujillo announced that the Board of Education moved the Board of Education election from April to November to save money. He continued that he has always been an advocate of people coming out to vote. He commended his colleagues for having moved the election.

Commissioner Trujillo stated that he has always extended his hand out and is always willing to work with each one. He continued that he is concerned with operating with a record law at the Police Department.

Councilwoman Perkins-Auguste was recognized for comments.

Councilwoman Perkins-Auguste suggested to Commissioner Trujillo to go back to his governing body to consider allowing the Public Speaking portion of their meeting to be heard first before their business agenda. She questioned having to register in advance before residents speak. She announced that in this Body, the residents come first.

Mr. Troy Hudson, 627 Court Street, spoke regarding the Rutgers survey being done because the survey is needed in order for the community to grow.

There being no one else 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. 4279**, entitled:

AN ORDINANCE TO AMEND CHAPTER 10.08.020 OF THE CODE OF THE CITY OF ELIZABETH TO ESTABLISH A THREE-WAY STOP AT THE INTERSECTION MURRAY STREET AND DEHART PLACE.

This ordinance was adopted on its first reading at the meeting of City Council held on **January 10, 2012**.

The Notice of Public Hearing was published in the Star Ledger issue of **January 16, 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 January 17, 2012, from His Honor the Mayor, that subject to your advice and consent, is making the following appointments: Norma M. Murgado, Esq., Chief Municipal Prosecutor; Ashston E. Thomas, Esq, Patricia A. Mack, Esq., Tangerla Mitchell Thomas, Esq. Assistant Municipal Prosecutors; Robert Carroll, Esq., Lawrence M. Centanni, Esq., Anabela Dacruz-Melo, Esq., Annette Quijano, Esq., and Christopher Howard, Esq., Temporary Municipal Prosecutors.
Which was received.

By the Clerk:
Letter dated January 9, 2012, from the Business Administrator requesting authorization for the proper City officials to sign and accept a subgrant award from the New Jersey State Police, Office of Emergency Management , for the Federal Fiscal Year 2012 of the Department of Homeland Security Emergency Management Performance Grant Program Funding with the City matching the amount awarded.
Which was received.

By the Clerk:
Letter dated January 10, 2012, from the Business Administrator recommending the award of a contract to Saf-Gard Shoe Company, Nixon Plaza, 2058 Route 27, Edison, NJ, for safety boots for the Public Works Department, Recreation Department laborers and the Health Department dog wardens for the period of January 1, 2012 through December 31, 2012, at a total cost not to exceed $25,000.00.
Which was received.

By the Clerk:
Letter dated January 10, 2012, from the Business Administrator requesting to amend the November 22, 2011 resolution awarded to Lanigan Associates, Inc, 496 Shrewsbury Avenue, Tinton Falls, NJ, for the purchase of protective vests and crime prevention supplies, at a cost not to exceed $100,000.00, specifically to include the additional State Contract #74004.
Which was received.

By the Clerk:
Letter dated January 12, 2012, from the Business Administrator requesting to amend the August 23, 2011 resolution awarded to Ricoh America's Corporation, c/o Ikon Office Solutions, Inc. 100 Passaic Avenue, Fairfield, NJ in an amount not to exceed $40,000.00 and with Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, NJ, in an amount not to exceed $20,000.00, specifically to reflect the new address for Ricoh and Ikon Office Solutions, Inc., as 19 Chapin Road, Bldg. C. North, Pinebrook, NJ, 07058 and recommends awarding a contract to Ikon Office Solutions, Inc., 19 Chapin Road, Bldg. C. North, Pinebrook, NJ, for the leasing of new photocopiers for the period of January 5, 2012 through April 30, 2012, in an amount not to exceed $15,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Business Administrator requesting authorization for the proper City officials to enter into and sign all necessary documents with the City of Linden for an Intergovernmental Services Agreement for License Inspectors, for the period of December 15, 2011 through December 14, 2012, for a fee of $10,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Business Administrator recommending the award of a contract to Jet Vac Inc., Box 222, Northville, MI, for parts and repairs for sweepers for the Department of Public Works for the period of December 30, 2011 to June 30, 2012, at a cost not to exceed $75,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Business Administrator recommending the award of a contract to Cooper Supply Company, 70 Apple Street, Tinton Falls, NJ, for the purchase of lamps, incandescent, HID and fluorescent bulbs for various departments for the period of January 1, 2012 through March 31, 2012, at a cost not to exceed $9,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Business Administrator recommending the award of a contract to Cliffside Body Corporation, 130 Broad Avenue, Fairview, NJ, for Snow Plow Parts, Grader and Loader Blades, to include but not limited to Hydraulic Motors, Drain Covers, Augers and Blades for the Department of Public Works for the period of January 11, 2012 through January 19, 2013, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Business Administrator recommending the award of a contract to Paterson Papers, 730 Madison Avenue, Paterson, NJ, for the purchase of Copy Paper for the period of January 1, 2012 through June 30, 2012, in an amount not to exceed $20,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Business Administrator recommending the award of a contract to FDCJ, LLC., t/a Flemington Dodge Chrysler, 204 Route 202 & 31 North, Flemington, NJ, for auto parts and accessories for light duty vehicles for various departments for the period of January 13, 2012 through January 13, 2014, at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Business Administrator recommending the award of a contract to EFK Group, LLC, 1027 S. Clinton Avenue, Trenton, NJ, to provide a Redesigned Web Site to the City of Elizabeth in the total amount of $49,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Business Administrator, being satisfied that an emergency did exist, recommends the award of a contract to Doma Construction, Inc., 215 North 12th Street, Newark, NJ, for the immediate demolition of 560 Grier Avenue, Elizabeth, in the amount of $16,500.00.
Which was received.

By the Clerk:
Letter dated January 17, 2012, from the Business Administrator requesting authorization for the proper City officials to enter into a contract with T & M Associates, 11 Tindall Road, Middletown, NJ, for professional on-call traffic engineering services for the City for the period of January 24, 2012 through January 23, 2013, in an amount not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Second Assistant City Attorney requesting, on behalf of Sunesys, LLC, to amend the Right-of-Way agreement adopted August, 2005, to install fiber optic cable in the public right-of-way on Monmouth Road, from Westfield Avenue to the Union Township boundary line, for a period of five (5) years, specifically to include additional locations in the City's right-of-way, as well as extending the term for an additional five (5) years.
Which was received.

By the Clerk:
Letter dated January 10, 2012, from the City Attorney requesting authorization to negotiate and enter into a Cooperation Agreement between the City of Elizabeth and other third-party public entities in pending environmental litigation and to make all decisions necessary for the City under this Cooperation Agreement.
Which was received.

By the Clerk
Letter dated January 17, 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 January 17, 2012, from the Chief Financial Officer requesting that City Council consider the adoption of two (2) resolutions in connection with the City's participation in the 2012 New Jersey Environmental Infrastructure Trust November financing pool: (1) Separate form and sale resolution; (2) a resolution authorizing documents in connection with the City's participation in the 2012 New Jersey Environmental Infrastructure Trust Financing Program for constructing and re-constructing the storm and sanitary sewer system in the Midtown area.
Which was received.

By the Clerk:
Letter dated January 17, 2012, from the Chief Financial Officer requesting that City Council consider the approval of a bond ordinance authorizing $2,200,000.00, with a down payment of $110,000.00, for a synthetic turf field and improvements to the O'Brien Field.
Which was received.

By the Clerk:
Letter dated January 17, 2012, from the Chief Financial Officer advising that Dedication by Rider resolutions may be necessary.
Which was received.

By the Clerk:
Letter dated January 6, 2012, from the Director of Planning and Community Development requesting authorization for His Honor the Mayor to appoint individuals to the Sesquarcentennial (350th) Celebration Committee, commemorating the beginnings of our State for the grand event in 2014.
Which was received.

By the Clerk:
Letter dated January 12, 2012, 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 postpone the second mortgage held by the City through the Elizabeth Home Improvement Program, First Time Homebuyer Program, for the property located a 853 Cross Avenue in the amount of $10,000.00.
Which was received.

By the Clerk:
Letter dated January 13, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to apply, accept and sign all appropriate documents between the City of Elizabeth and the Department of Environmental Protection Green Acres Program for the 2011 Green Acres Local Government Assistance Application-Elizabeth River Trail Phase II, the City is eligible for a 50% matching grant and supplemental loan funding in an amount not to exceed $1,389,060.00.
Which was received.

[redacted]

[redacted]

By the Clerk:
Letter dated January 10, 2012, from the Director of Public Works requesting that your Honorable Body consider supporting the State House Commission Pre-Application to the New Jersey Department of Environmental Protection (NJDEP) for the removal of the Green Acres restrictions from a 0.03 acre portion of the Elizabeth River Parkway near Summer Street.
Which was received.

By the Clerk:
Letter dated January 4, 2012, from the Director of Public Works requesting permission to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of $4,414.81.
Which was received.

By the Clerk:
Letter dated December 12, 2011, from Langan Engineering & Environmental Services, River Drive Center 1, Elmwood Park, NJ, on behalf of Pivotal Utility Holdings, Inc., requesting an Encroachment Permit to complete soil remediation work to satisfy the NJDEP requirements for the remediation of the former South Street Manufactured Gas Plant located at 400-410 South Street.
Which was received.

By the Clerk:
Letter dated January 5, 2012, from the Historic Midtown Elizabeth Special Improvement District requesting permission to conduct sidewalk sales on Thursday through Saturday commencing May 17th – 20th; June 21st – 23rd; August 16th – 18th, and October 11th – 13th, 2012; if weather does not permit, sale will be held the proceeding Monday.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:
Letter January 24, 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, January 20, 2012.
Which was received.

By the Clerk:
Letter dated December 30, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of September, 2011, and Statement of Bank Balances and Investments as of September 30, 2011.
Which was received.

ORDINANCES ON FIRST READING

Council President Gonzalez announced to his colleagues to wait until they are recognized before making comments.

Council President Gonzalez announced that the next business in order would be the introduction of **Ordinance No. 4280** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 3755, ADOPTED SEPTEMBER 13, 2005, PERMITTING SUNESYS, LLC, 202 TITUS AVENUE, WARRINGTON, PA 18976, TO INSTALL FIBER OPTIC CABLE ON EXISTING POLES AND UNERGROUND CONDUITS ALREADY INSTALLED IN THE PUBLIC RIGHT-OF-WAY ON MONMOUTH ROAD FROM WESTFIELD AVENUE TO THE TOWNSHIP OF UNION BOUNDARY LINE, TO INSTALL FIBER OPTIC CABLE FOR A PERIOD OF FIVE (5) YEARS, SPECIFICALLY TO INCLUDE ADDITIONAL LOCATIONS AND EXTEND THE TERM OF THE AGREEMENT AN ADDITIONAL FIVE (5) YEARS.

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. 4281** , which was seconded by Councilman Cuesta, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO LANGAN ENGINEERING & ENVIRONMENTAL SERVICES, RIVER DRIVE CENTER 1, ELMWOOD, NEW JERSEY ON BEHALF OF PIVOTAL UTILITY HOLDINGS, INC., TO COMPLETE SOIL REMEDIATION WORK TO SATISFY THE REQUIREMENTS OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AT THE FORMER SOUTH STREET MANUFACTURED GAS PLANT AT 400-410 SOUTH STREET, ELIZABETH, NEW JERSEY.

Councilman Mazza stated that it has been over a year and a half that they have been working on this site and he is happy to see the progress. He asked his colleagues for their support of this ordinance.

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. 4282** , which was seconded by Councilman Cuesta, entitled:

> AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO O'BRIEN FIELD LOCATED IN THE CITY OF ELIZABETH AND APPROPRIATING $2,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $2,090,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE SAME

Councilman Mazza stated that he met with the Director of Public Works and was advised that this is an estimated figure. He continued that he still has questions. He stated further that he would like input from the community.

Councilman Mazza stated he would like to discuss if there should be lights, etc. He continued that he is happy to see that someone saw "a light at the end of the tunnel" and he will not stop this project but he would like to follow it closely.

Councilman Grova stated that he can tell his colleague from his experience that there are two beautiful fields in his ward. He believes the move for the future is synthetic turf. He encouraged the Board of Education to move in this direction because it will allow for more playtime.

Councilwoman Perkins-Auguste thanked the Administration and her colleague Councilman Jackus who spoke of this twelve or maybe fourteen years ago. She commended the Administration on being able to still find funds to consider the children. She stated this is a good thing.

Councilman Gallman echoed his colleagues sentiments. He continued that regular turf has a large down time, but synthetic turf will be able to be used more often and everyone will be pleased.

Councilman Jackus stated that he pushed for synthetic fields for many years and it cost a lot of money over the years. He continued that Council must consider that the turf will have to be replaced in approximately ten years.

Councilman Cuesta stated that when he spoke last week regarding this project, one of his colleagues stated that he lives in the Third Ward and he is Council-at-Large. He continued that he is Council-at-Large, but he was elected to represent all of the

residents of this City. He stated further that he lived in Peterstown for many years and still has family there.

Councilman Cuesta stated that Council has been discussing the need for this project for months and most important the children need this project.

Councilman Cedeno thanked the Administration for this project. He continued that Councilman Mazza was in favor of this project but defends his ward with passion. He stated further that he thinks it's an injustice to try to silence Councilman Mazza.

Councilman Mazza stated that if Councilman Cuesta met with the Mayor, he hopes that his colleague has an engineering degree. He stated further that before the City spends this amount of money, he would like to research it a little further.

Councilman Jackus questioned the Rules of Order regarding speaking more than once.

Council President Gonzalez stated that he likes to see the passion that each person has for their ward and would like to see this type of project in the Second Ward.

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, February 14, 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. 4280, 4281 and 4282, adopted on first reading.

ORDINANCES ON FINAL PASSAGE

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4279** , which was seconded by Councilman Cuesta:

AN ORDINANCE TO AMEND CHAPTER 10.08.020 OF THE CODE OF THE CITY OF ELIZABETH TO ESTABLISH A THREE-WAY STOP AT THE INTERSECTION MURRAY STREET AND DEHART PLACE.

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

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

A three-way stop at the intersection of Murray Street and DeHart Place as follows:
On Murray Street at the West Side corner of DeHart Place.
On Murray Street at the East Side corner of DeHart Place.
On DeHart Place at the South Side corner of Murray Street.

SECTION 2. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. If any portion or clause of this ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this ordinance.

SECTION 4. The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law and upon approval by the Commissioner of the State Department of Transportation as provided by law.

The Clerk read the foregoing ordinance by title.

This ordinance was adopted on its first reading at the City Council meeting held . **January 10, 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 **January 16, 2012.**

Councilman Mazza announced that he is happy to see this ordinance.

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

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

Which was carried unanimously.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has requested authorization for the proper City Officials to sign an indemnification and hold harmless agreement to the County of Union for the area of the South Street Flood Control Project that is within the County of Union's Right-of-Way on Pearl Street. All fees and bonds required for any road opening permits associated with the project will be waived by the County of Union; and

WHEREAS, Underground Utilities Corporation has been awarded a contract by the City to construct the project and will provide the City of Elizabeth with the required insurance and indemnification as required by the contract provisions; and

WHEREAS, the project consists of drainage improvements for the low area of South Street beneath the railroad bridge between Rahway Avenue and Burnett Street. The storm sewer will originate at the low point of South Street and proceed along South Street to Burnett Street and discharge to the Elizabeth River; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to sign an indemnification and hold harmless agreement to the County of Union for the area of the South Street Flood Control Project that is within the County of Union's Right-of-Way on Pearl Street and that all fees and bonds required for any road opening permits associated with the project will be waived by the County of Union.

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, P.L. 2011, c. 202 authorizes the City Council of the City of Elizabeth to move the annual school board election, which has been previously conducted on the third Tuesday in April, to the November General Election, which is held on the first Tuesday after the first Monday in November; and

WHEREAS, it is the desire of the City Council of the City of Elizabeth to effectuate this move in order to save the taxpayers and residents of the City of Elizabeth the expenses associated with conducting an additional annual election and to foster greater voter turnout in the school board election process; and

WHEREAS, the procedure for this election, including, but not limited to budget questions and terms of office, shall comply with all provisions of P.L. 2011, c. 202 and any subsequent amendments; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby moves the annual school board election to the November General Election in compliance with P.L. 2011, c. 202; and be it

FURTHER RESOLVED that this resolution shall take effect immediately upon adoption and the 2012 school board election shall be moved to the 2012 November General Election; and be it

FURTHER RESOVLED that a copy of this resolution shall be forwarded to the Governor, the State Board of Education, the Acting Commissioner of Education, the Union County Clerk, the Union County Board of Elections and the Elizabeth Board of Education.

Councilman Cuesta commended the Board of Education for passing legislation on moving the election because he has been fighting for this for years.

Councilman Keenan commended Commissioner Trujillo and the Board of Education for passing this legislation. He spoke regarding a public speaker speaking to keeping a "zero budget." He continued that the school tax levy cannot be raised without going to the voters for approval.

Councilman Grova stated that it is his knowledge that there is no difference when the voters voted down the school budget last year.

Councilwoman Perkins-Auguste stated that she supports this resolution but is concerned with raising the tax levy by 2%.

Council President Gonzalez thanked Councilman Cuesta and the Board of Education on their decision to move the election because the winners are the taxpayers and residents.

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 that four bills were being announced on January 22, 2012 which were designed to reduce waste and inefficiency in our criminal justice system and redirect resources to better protect the public by reducing repeat offenses; and

WHEREAS, Senator Cunningham has asked Senate President Sweeney, Judiciary Chairman Scutari and Law and Public Safety Chairman Norcross to move these bills prior to the budget break. The Assembly Sponsor Joe Cryan and Speaker Oliver have also been asked to move these bills so there can be change in our criminal justice system in a more cost effective way and to provide better safety for our residents; and

WHEREAS, the four bills are S907 Presumptive Parole; S 881 Expansion of Drug Court; S 878 Prohibits automatic disqualification of employment of ex-offender; S 876 repeal of the ban on ex-offenders working where alcohol is sold; and

WHEREAS, use of Drug Courts to provide mandatory substance abuse treatment for non-violent crimes has been successful in reducing the rate of repeat criminal offenses by drug and alcohol dependent persons; and

WHEREAS, S 881 will expand eligibility into Drug Court supervision and treatment by giving judges greater discretion in determining eligibility; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth believes it is in the best interest of the citizens of Elizabeth and State of New Jersey to support the four bills which were being announced on January 22, 2012 and which were designed to reduce waste and inefficiency in our criminal justice system and redirect resources to better protect the public by reducing repeat offenses S907 Presumptive Parole; S 881 Expansion of Drug Court; S 878 Prohibits automatic disqualification of employment of ex-offender; S 876 repeal of the ban on ex-offenders working where alcohol is sold.

Councilwoman Perkins-Auguste announced that these four bills are being introduced and the Public Hearing is being held tonight. She continued that these four bills are pro-active and are working with the offenders and ex-offenders. She stated further that she hopes her colleagues will support these bills.

Councilman Cedeno thanked Councilwoman Perkins-Auguste regarding the Senate bills because these bills will help move the road blocks.

Council President Gonzalez stated that these bills will help individuals receive a second chance.

Which was adopted by the following vote:

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

NEGATIVE: None

The regular order of business was then resumed.

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City of Elizabeth

CAPITAL BUDGET

2012 SFY

Amendment

Whereas, it is desired to amend the Fiscal Year 2012 Capital Budget,

Now, Therefore Be It Resolved, by the City Council of the City of Elizabeth, County of Union, that the following projects constitute a part of the capital budget section of the Fiscal Year 2012 Capital Budget .

~~Recorded vote:~~

~~AYES~~

~~NAYS~~

~~ABSENT~~

NEW BUSINESS

6 YEAR CAPITAL PROGRAM FY2012 TO FY2017

PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2012

Local Unit CITY OF ELIZABETH

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SOURCES FOR CURRENT YEAR - FY2012 5a FY2011 BUDGET APPROPRIATION	5b CAPITAL IMPROVEMENT FUND	5c Capital Surplus	5d Grants-in-Aid and Other Funds	5e Debt Authorized	6 TO BE FUNDED IN FUTURE YEARS
Synthetic Turf Field - O'Brien Field		2,200,000.00			110,000.00			2,090,000.00	
Totals - All Projects		2,200,000.00			110,000.00			2,090,000.00	

6 YEAR CAPITAL PROGRAM FY2012 TO FY2017
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

Local Unit CITY OF ELIZABETH

1	2	3	4	FUNDING AMOUNTS PER BUDGET YEAR					
PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	5a FY2012	5b FY2013	5c FY2014	5d FY2015	5e FY2016	5f FY2017
Synthetic Turf Field - O'Brien Field		2,200,000.00		2,200,000.00					
Totals - All Projects		2,200,000.00		2,200,000.00					

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6 YEAR CAPITAL PROGRAM FY2012 TO FY2017
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit CITY OF ELIZABETH

1	2	BUDGET APPROPRIATION		4	5	6	BONDS AND NOTES			
PROJECT TITLE	ESTIMATED TOTAL COST	3a Current Year FY2012	3b Future Years	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS-IN-AID AND OTHER FUNDS	7a General	7b Self Liquidating	7c Assessment	7d School
Synthetic Turf Field - O'Brien Field	2,200,000.00	2,200,000.00		110,000.00			2,090,000.00			
Totals - All Projects	2,200,000.00	2,200,000.00		110,000.00			2,090,000.00			

Be it Further Resolved, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution constituting a part of the capital budget section of the Temporary 2012 Fiscal Year Capital Budget

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 $37,814 for the Elizabeth Ave. Streetscape 2010 Increase awarded by the State of New Jersey Department of Transportation 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 $37,814 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 Transportation Elizabeth Ave. Streetscape Increase 2010	$37,814

BE IT FURTHER RESOLVED, that a like sum of $37,814 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 Transportation Elizabeth Ave. Streetscape Increase 2010 Other Expenses	$37,814

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

CITY OF ELIZABETH
COUNTY OF UNION

A RESOLUTION REQUESTING PERMISSION FOR A DEDICATION BY RIDER FOR DONATIONS-ACCEPTANCE OF BEQUESTS AND GIFTS (FROM HATCH MOTT MACDONALD)TO SUPPORT THE ANNUAL WOMEN'S HISTORY MONTH) AS REQUIRED BY NJS 40A:5-29

BY CITY COUNCIL AS A WHOLE:

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

WHEREAS, NJS 40A:5-29 provides for receipts of donations (from Hatch Mott MacDonald) to support the Annual Women's History Month) by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Donations Fund (from Hatch Mott MacDonald to support the Annual Women's History Month) are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by state or other legal requirement:

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

1. The City Council does hereby request permission of the Director of the Division of Local Governmental Services to pay expenditures of the Donations Fund (from Hatch Mott MacDonald to support the Annual Women's History Month) per NJS 40A:5-29.

2. The Clerk of the City of Elizabeth, County of Union, New Jersey, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Governmental Services.

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING $5,500,000 GENERAL OBLIGATION BONDS OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE STATE FISCAL YEAR 2012 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM FOR FUNDING THE CITY'S MIDTOWN AREA STORM AND SANITARY SEWER PROJECT

WHEREAS, the City of Elizabeth (the "Local Unit"), in the County of Union, New Jersey, has determined that there exists a need within the Local Unit to construct the Midtown Area Storm and Sanitary Sewer Project (the "Project"), as said Project is more particularly defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2012 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2012, to the Trust (the "Trust Loan Bond") and General Obligation Bonds, Series 2012, to the State (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds"), said Local Unit Bonds to be issued in an aggregate principal amount not to exceed $5,500,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond to the State in accordance with the provisions hereof, said Local Unit Bonds to be issued in the aggregate principal amount not to exceed $5,500,000. The Local Unit Bonds have been referred to are described in bond ordinance Number 4035 of the Local Unit entitled **"AN ORDINANCE OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY PROVIDING FOR MIDTOWN SEWER IMPROVEMENTS AND APPROPRIATING $14,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $14,000,000 BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE COST THEREOF"** was finally adopted by the Local Unit at a meeting duly called and held on April 14, 2009 (the "Bond Ordinance"), at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

(a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, provided that the aggregate principal amount of the Local Unit Bonds shall not exceed $5,500,000

(b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed twenty (20) years;

(c) The date of the Local Unit Bonds;

(d) The interest rates of the Local Unit Bonds;

(e) The purchase price for the Local Unit Bonds; and

(f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

(a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered as shall be specified by the Chief Financial Officer. The Fund Loan Bond shall be issued in a single denomination and shall be numbered as shall be specified by the Chief Financial Officer;

(b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

(c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of DeCotiis, FitzPatrick & Cole, LLP, is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to DeCotiis, FitzPatrick & Cole, LLP, bond counsel to the Local Unit, and Richard Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL YEAR 2012 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM FOR FUNDING THE CITY'S MIDTOWN AREA STORM AND SANITARY SEWER PROJECT

WHEREAS, the City of Elizabeth (the "Local Unit"), in the County of Union, New Jersey, has determined that there exists a need within the Local Unit to construct the Midtown Area Storm and Sanitary Sewer Project (the "Project"), as said Project is more particularly defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2012 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2012, to the Trust (the "Trust Loan Bond") and General Obligation Bonds, Series 2012, to the State (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds"), said Local Unit Bonds to be issued in an aggregate principal amount not to exceed $5,500,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Local Unit Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Local Unit and the escrow agent to be named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to DeCotiis, FitzPatrick & Cole LLP, bond counsel to the Local Unit, and Richard Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

NOTE: The above referenced "Exhibit" 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:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Norma M. Murgado, Esq.**, to serve as Chief Municipal Prosecutor of the Elizabeth Municipal Court, of the City of Elizabeth, for a term of one year commencing January 1, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

EXCUSED: GROVA – 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Ashton E. Thomas Esq.**, to serve as Assistant Municipal Prosecutor at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

EXCUSED: GROVA – 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Patricia A. Mack, Esq.,** to serve as Assistant Municipal Prosecutor at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

EXCUSED: GROVA - 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Tangerla Mitchell Thomas, Esq.,** to serve as **Assistant Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

EXCUSED: GROVA - 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby advise and consent to the appointment of **Robert C. Carroll, Esq.,** as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth for a term of one year commencing, January 1, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

EXCUSED: **GROVA** - 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby advise and consent to the appointment of **Lawrence M. Centanni, Esq.,** as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth for a term of one year commencing, January 1, 2012.

Which was adopted by the following vote:

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

NEGATIVE: None

EXCUSED: **GROVA** - 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Anabela Dacruz-Melo, Esq.,** to serve as Temporary Municipal Prosecutor at the Elizabeth Municipal Court of the City of Elizabeth, for a term of one year effective January 1, 2012.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Jackus, [redacted], Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None
EXCUSED:	**GROVA** - 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Annette Quijano, Esq.,** to serve as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2012.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Jackus, [redacted], Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None
EXCUSED:	**GROVA** - 1

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth does hereby give its advice and consent to the appointment of **Christopher Howard, Esq.,** to serve as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing January 1, 2012.

Which was adopted by the following vote:

AFFIRMATIVE:	Perkins-Auguste, Cuesta, Jackus, [redacted], Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 8
NEGATIVE:	None
EXCUSED:	GROVA - 1

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to accept and sign the appropriate documents for a Subgrant Award of the Federal Fiscal Year 2012 of Department of Homeland Security Emergency Management Performance Grant Program Funding from the New Jersey State Police Office of Emergency Management; and

WHEREAS, the Subgrant is for the purpose of enhancing the City of Elizabeth's ability to prevent protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the application for the Subgrant Award calls for a match in the amount awarded which the City of Elizabeth, Office of Emergency Management adequately satisfies through the 2012 City of Elizabeth approved budget for Division salaries, wages and fringe benefits; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to accept and sign the appropriate documents for a Subgrant Award of the Federal Fiscal Year 2012 of Department of Homeland Security Emergency Management Performance Grant Program Funding from the New Jersey State Police Office of Emergency Management.

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 to **SAF-GARD SAFETY SHOE COMPANY, NIXON PLAZA, 2058 Route 27, Edison, New Jersey 08817**, for Safety Boots for the Public Works Department laborers, Recreation Department laborers and Health Department dog wardens for the period of January 1, 2012 through December 31, 2012 at a total cost not to exceed $25,000.00 under the Morris County Co-Op Contract #22; 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 **SAF-GARD SAFETY SHOE COMPANY, NIXON PLAZA, 2058 Route 27, Edison, New Jersey 08817**, for Safety Boots for the Public Works Department laborers, Recreation Department laborerers and Health Department dog wardens for the period of January 1, 2012 through December 31, 2012 at a total cost not to exceed $25,000.00 under the Morris County Co-Op Contract #22.

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 the proper City Officials to enter into and sign all necessary documents with the City of Linden for an Intergovernmental Services Agreement for License Inspectors, for the period of December 15, 2011 through December 14, 2012 for a fee of $10,000.00; and

WHEREAS, the License Inspectors employed by the City of Elizabeth, New Jersey will be providing assistance with Inspection Services for Taxicab and Limousine Enforcement to the City of Linden, 301 North Wood Avenue, Linden, New Jersey 07036; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into and sign all necessary documents with the City of Linden for an Intergovernmental Services Agreement for License Inspectors employed by the City of Elizabeth, New Jersey to provide assistance with Inspection Services for Taxicab and Limousine Enforcement to the City of Linden, 301 North Wood Avenue, Linden, New Jersey 07036 for the period of December 15, 2011 through December 14, 2012 for a fee of $10,000.00.

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 Business Administrator and the Purchasing Agent have recommended per the request of the Director of the Department of Public Works an award of a contract to **JET VAC, INC., BOX 222, Northville, MI 48167**, to provide Parts and Repairs for Sweepers for the Public Works Department for the period of December 30, 2011 to June 30, 2012 at a cost not to exceed $75,000.00 under their state contract #69719; and

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

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

WHEREAS, the Chief Financial Officer shall execute the Certificate of Availability of Funds at each time an order is placed, and covering the amount of the order, and said execution is to be made just before this City incurs a contractual liability on its part; 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. #69719 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 **JET VAC, INC., BOX 222, Northville, MI 48167,** to provide Parts and Repairs for Sweepers for the Public Works Department for the period of December 30, 2011 to June 30, 2012 at a cost not to exceed $75,000.00 under their state contract #69719.

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 per the request of the Purchasing Agent an award of a contract to **COOPER SUPPLY CO., 70 Apple Street, Tinton Falls, New Jersey 07724,** for the purchase of Lamps, Incadscent, HID and Fluorescent Bulbs for various departments for the period of January 1, 2012 through March 31, 2012 at a cost not to exceed $9,000.00 under their state contract #73139; 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. #73139 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 **COOPER SUPPLY CO., 70 Apple Street, Tinton Falls, New Jersey 07724,** for the purchase of Lamps, Incadscent, HID and Fluorescent Bulbs for various departments for the period of January 1, 2012 through March 31, 2012 at a cost not to exceed $9,000.00 under their state contract #73139.

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 Department of Public Works an award of a contract to **Cliffside Body Corp., 130 Broad Avenue, Fairview, New Jersey 07022,** for Snow Plow Parts, Grader and Loader Blades to include but not limited to Hydraulic Motors, Drain Covers, Augers and Blades for the Department of Public Works for the period January 11, 2012 through January 19, 2013 at a cost not to exceed $50,000.00 under their State Contract #75724; 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, State Contracts are exempt from the provisions of Chapter 2.92 of the code of the City of Elizabeth; and

WHEREAS, the Chief Financial Officer 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. 75724 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 **Cliffside Body Corp., 130 Broad Avenue, Fairview, New Jersey 07022,** for Snow Plow Parts, Grader and Loader Blades to include but not limited to Hydraulic Motors, Drain Covers, Augers and Blades for the Department of Public Works for the period January 11, 2012 through January 19, 2013 at a cost not to exceed $50,000.00 under their State Contract #75724.

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 an award of a contract to **Paterson Papers, 730 Madison Avenue, Paterson, New Jersey 07509,** for the purchasing of Copy Paper for the period of January 1, 2012 through June 30, 2012 in the amount not to exceed $20,000.00 under the Morris County Cooperative Purchasing Contract #30; 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 **Paterson Papers, 730 Madison Avenue, Paterson, New Jersey 07509,** for the purchasing of Copy Paper for the period of January 1, 2012 through June 30, 2012 in the amount not to exceed $20,000.00 under the Morris County Cooperative Purchasing Contract #30.

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 Director of the Department of Public Works an award of a contract to **FDCJ, LLC., t/a Flemington Dodge Chrysler, 204 Route 202 & 31 North, Flemington, NJ 08822**, for Auto Parts & Accessories for Light Duty Vehicles for Various Departments for the period of January 13, 2012 through January 13, 2014 at a cost not to exceed $100,000.00 under their State Contract #79599; 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, State Contracts are exempt from the provisions of Chapter 2.92 of the code of the City of Elizabeth; and

WHEREAS, the Chief Financial Officer 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. 75724 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 **FDCJ, LLC., t/a Flemington Dodge Chrysler, 204 Route 202 & 31 North, Flemington, NJ 08822**, for Auto Parts & Accessories for Light Duty Vehicles for Various Departments for the period of January 13, 2012 through January 13, 2014 at a cost not to exceed $100,000.00 under their State Contract #79599.

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 Director of the Department of Planning and Community Development the award of a contract to **EFK Group, LLC, 1027 S. Clinton Avenue, Trenton, New Jersey 08611**, to provide a Redesigned Web Site to the City of Elizabeth in the total amount of $49,000.00; and

WHEREAS, this contract meets the requirements of the "Non-Fair and Open Process" because of the following:

1. The Purchasing Agent certified that the contract has a value in excess of $17,500.00.
2. EFK Group, LLC has filed a disclosure form certifying that no reportable Contributions from being made during the term of the contract.

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-04974, charging the amount of $49,000.00 to Account No. 2-01-35-470 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the proper City Officials to award a contract to **EFK Group, LLC, 1027 South Clinton Avenue, Trenton, New Jersey 08611**, to provide a redesigned webstite to the City of Elizabeth for a total cost of $49,000.00.

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 Business Administrator has requested authorization to award a contract to **T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792,** to provide professional on-call traffic engineering services for the City of Elizabeth for the period January 24, 2012 through January 23, 2013 at a cost not to exceed $50,000.00; and

WHEREAS, the Business Administrator received qualification proposals for consulting professional engineering services. The request for qualifications was solicited through a fair and open process in accordance with **N.J.S.A.** 19:44A-20.5, et Seq., and **N.J.S.A.** 40A:11-5(a) (i); and

WHEREAS, 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 an appropriated for this purpose in Certification No. 12-05696 charging the amount of $50,000.00 to Account No. 2-01-25-240-POL-307 of the Municipal Budget, is on file in the Office in 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 inspections; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute a contract with **T & M Associates, Eleven Tindall Road, Middletown, N.J. 07748-2792,** to provide professional on-call traffic engineering services for the City of Elizabeth for the period January 24, 2012 through January 23, 2013 at a cost not to exceed $50,000.00.

2. This contract is awarded without competitive bidding as a "Professional Service"in accordance with **N.J.S.A.** 40A:11-2(6) of the Local Public Contracts Law because these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

3. A notice of this action shall be printed once in **The Star Ledger**.

Councilman Grova announced that some of the traffic requests will be met.

Councilman Jackus spoke regarding the tanker accident on Rt. 1 & 9 stating that there is a traffic light that sits on the Circle and the residents requested to move that light from their homes so they can access their driveways. He stated further that he has not heard from the Department of Transportation.

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 of Elizabeth is a third-party defendant to ongoing complex environmental litigation in the Superior Court of New Jersey, Essex County, captioned New Jersey Department of Environmental Protection ("DEP"), et al. v. Occidental Chemical Corp. et al., Docket No. ESX-L-9868-05 (the "Litigation); and

WHEREAS, the Litigation currently has over three hundred (300) named parties that include a number of third-party public entities which are similarly situated and share common interests with the City of Elizabeth; and

WHEREAS, as a result of meetings between representatives of these public entities, the public entities have individually and collectively concluded that collaboration and cooperation is warranted for actions including, but not limited to, the retention of expert witnesses; and

WHEREAS, the City Attorney has requested authorization to negotiate and enter into a Cooperation Agreement with other third-party public entities that are part of the Litigation; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes the City Attorney to negotiate and enter into a Cooperation Agreement between the City and other third-party public entities in the case captioned New Jersey Department Environmental Protection ("DEP"), et al. v. Occidental Chemical Corp. et al., Docket No. ESX-L-9868-05; and be it

FURTHER RESOLVED that the City Council authorizes the City Attorney to make all decisions necessary for the City of Elizabeth under the aforementioned Cooperation Agreement.

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, Purchasing Agent, has advised that on November 22, 2011 a resolution was adopted awarding a contract to **Lanigan Associates, Inc., 496 Shrewsbury Avenue, Tinton Falls, New Jersey 07701,** for the purchase of protective vests and crime prevention supplies for the period of November 1, 2011 through April 30, 2012 at a cost not to exceed $100,000.00 under State Contract #73993; and

WHEREAS, the Police Department requires additional equipment, which is under **Lanigan Associates, Inc.,** State Contract No. 74004; and

WHEREAS, the Business Administrator concurs with the Director of the Police Department and requests the amendment to the resolution adopted on November 22, 2011 to **Lanigan Associates, Inc., 496 Shrewsbury Avenue, Tinton Falls, New Jersey 07701** to include the additional State Contract #74004 to include the required additional equipment; 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 the City Council of the City of Elizabeth amends the resolution adopted November 22, 2011 which awarded a contract to **Lanigan Associates, Inc., 496 Shrewsbury Avenue, Tinton Falls, New Jersey 07701,** for the purchase of protective vests and crime prevention supplies for the period of November 1, 2011 through April 30, 2012 at a cost not to exceed $100,000.00 under State Contract #73993 to add **Lanigan Associates, Inc., 496 Shrewsbury Avenue, Tinton Falls, New Jersey 07701,** State Contract No. 74004 for the required additional equipment for the Police Department.

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 on August 23, 2011 your Honorable Body adopted a resolution awarding a contract to **Ricoh America's Corporation/co Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, New Jersey 07004** for the Maintenance of the City owned photocopiers under their State Contract No. 51464 in an amount not to exceed $40,000.00 for the period of July 1, 2011 through June 30, 2012; and with **Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, New Jersey 07004,** for the Leasing of new photocopiers under their State Contract No. 64039 in an amount not to exceed $20,000.00 for the period of July 1, 2011 through December 31, 2011, for a total expenditure not to exceed $60,000.00; and

WHEREAS, Rich America's Corporation c/o Ikon Office Solutions, Inc., has changed its address to: **19 Chapin Road, Building C North, Pinebrook, New Jersey 07058**; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth amends a resolution adopted August 23, 2011, authorizing the award of a contract to **Ricoh America's Corporation, c/o Ikon Office Solutions, Inc.**, for the maintenance of City-owned photocopiers and with **Ikon Office Solutions, Inc.,** for the leasing of new photocopiers, specifically to reflect the new address as **Ricoh America's Corporation c/o Ikon Office Solutions, Inc., 19 Chapin Road, Building C North, Pinebrook, New Jersey 07058.**

Which was adopted by the following vote:

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

NEGATIVE: None

NOTE: Councilman Jackus was excused from the meeting at 8:55 p.m.

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the award of a contract to **Ikon Office Solutions, Inc., 19 Chapin Road, Building C North, Pinebrook, New Jersey 07058,** for the leasing of new photocopiers for the period January 5, 2012 through April 30, 2012, in an amount not to exceed $15,000.00 under their State Contract No. 64039;

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. 64039 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 the City Council of the City of Elizabeth authorizes the award of a contract to **Ikon Office Solution, Inc., 19 Chapin Road, Building C North, Pinebrook, New Jersey 07058,** for the leasing of new photocopiers for the period January 5, 2012 through April 30, 2012 in an amount not to exceed $15,000.00 under their State Contract No. 64039.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of Planning and Community Development has requested a contract be executed with **Rutger's University, 33 Livingston Avenue, New Brunswick, New Jersey 08901,** to create a baseline study for Data Mapping of the Emma Street area that the City of Elizabeth can use as a reference point to measure change in the future for approximately six (6) months, commencing June 20, 2011 through December 31, 2011 at a cost not to exceed $10,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-00729 charging the amount of $10,000.00 to Account No. 12156300002 of the Municipal Budget is on file in the Office of the City Clerk; and

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

WHEREAS the Director of Planning and Community Development has certified that this meets the statute and regulations governing the award of said contract; now, therefore, be

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

1. The Mayor and the City Clerk are hereby authorized to execute a contract with **Rutger's University, 33 Livingston Avenue, New Brunswick, New Jersey 08901,** to create a baseline study for the Emma Street and Data Mapping of the Emma Street area that the City of Elizabeth can use as a reference point to measure change in the future for approximately six (6) months, commencing June 20, 2011 through December 31, 2011 at a cost not to exceed $10,000.00.
2. The services to be performed by Rutgers University are of such a technical nature as to make a description of all actions to be taken unfeasible.
3. This cannot be described by written specifications because of the special nature of the service to be provided.
4. A notice of this action shall be published in **The Star Ledger.**

Councilman Gallman announced that he did not hold this project because he was against it, he just needed more information.

Councilwoman Perkins-Auguste stated that this is a $10,000.00 contract and she spoke to members of the Administration and the information was not provided. She continued that the reason for including Rutgers is to provide a study to deter and keep the neighborhood vibrant. She stated further that she spoke to the staff members heading this project and it is needed.

Councilwoman Perkins-Auguste stated that with the concept the City will be able to develop a plan. She continued that neighborhoods are deteriorating and the residents need to know that we are looking for ways to vitalize their communities.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted], Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 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 postpone a second mortgage given to **Safwat S. Sawiris & Wafaa H. Sawiris** on the property known as **853 Cross Avenue, Elizabeth, New Jersey** to the City of Elizabeth through the First Time Homebuyer Program; and

WHEREAS, the project financing consists of two loans; the original first mortgage is a bank loan from Wells Fargo Bank in the amount of $98,884.00 @ 5.5% interest 30 years and the proposed new loan $90,500.00 @ 3.5% interest ten years; and

WHEREAS, the Mortgagor is refinancing to obtain a lower interest rate and shorter term; and

WHEREAS, based upon a review of a recent appraisal, which valued the property at $239,000.00, there is sufficient equity in the property to protect the City's interests should its loan be postponed behind the proposed new mortgage. Postponements of this sort are permitted under this Program; and

WHEREAS, the Director of the Department of Planning & Community Development advises that such a postponement be authorized; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth does hereby authorize the postponement of the City of Elizabeth second mortgage on property located at **853 Cross Avenue, Elizabeth, New Jersey 07208,** given to **Safwat S. Sawiris & Wafaa H. Sawiris** and further authorizes the Mayor and the City Clerk to execute any and all documents in order to postpone said mortgage.

Which was adopted by the following vote:

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

NEGATIVE: None

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Elizabeth *(name of applicant)* desires to further the public interest by obtaining funding in the amount of $ 1,389,060.00 from the State to fund the following project(s): *(describe the project)* Elizabeth River Trail – Phase 2 at a cost of $1,489,060.00 *(project cost)*;

NOW, THEREFORE, the governing body/board resolves that Mayor/Elizabeth City Council *(name of authorized official)* or the successor to the office of Mayor/ Elizabeth City Council *(title of authorized official)* is hereby authorized to:

(a) make application for such a loan and/or such a grant,
(b) provide additional application information and furnish such documents as may be required, and
(c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Mayor/Elizabeth City Council *(name of legal body or board)*

1. That the Mayor/Elizabeth City Council *(title of authorized official)* of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Elizabeth River Trail – Phase 2 *project name)*;
2. That the applicant has its matching share of the project, if a match is required, in the amount of $ 694,530.00;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Councilman Mazza stated that this is an important phase of this project and this area is considered to be a wetlands.

Which was adopted by the following vote:

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

NEGATIVE: None

Green Acres Program
State House Commission Pre-Application
Local Parkland- Minor Disposal/ diversion

Attachment VII: Resolution
City of Elizabeth

RESOLUTION

RESOLUTION SUPPORTING THE STATE HOUSE COMMISSION PRE-APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR *SUMMER STREET CSO FLOOD RELIEF PROJECT*

WHEREAS, Block *4*, Lot *59* is part of the *Union County Elizabeth River Parkway* which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, in conjunction with the proposed *Summer Street CSO Flood Relief Project* It is necessary to remove the Green Acres restrictions from a *.03* acre portion of Elizabeth River Parkway; and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

WHEREAS, the *City of Elizabeth through the County of Union (as the property owner)* wishes to apply for approval for *the Summer Street CSO Flood Relief Project* as a minor disposal or diversion of parkland under N.J.A.C. 7:36-26; and

WHEREAS, the first step in the application process for approval of a minor disposal or diversion of parkland is the filling of a pre-application under N.J.A.C. 7:36-26.4; and

WHEREAS, in accordance with N.J.A.C. 7:36-26.4(d) 10, it is necessary for *the City of Elizabeth and the County of Union* to submit as part of the pre-application a Resolution endorsing the application to divert or dispose or parkland;

NOW THEREFOR, BE IT RESOLVED by the *City of Elizabeth*, in the *County of Union*, State of New Jersey as follows:

1. The *City of Elizabeth* endorses the filling of a pre-application for the Elizabeth River Parkway/ *Summer Street CSO Flood Relief Project* pursuant to N.J.A.C. 7:36-26;

2. The *City of Elizabeth* hereby finds that Elizabeth River Parkway/ *Summer Street CSO Flood Relief Project* would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by the *construction of a Flood Relief Project that will control or eliminate the flooding of Summer Street and portions of the access to and from the parklands that are the subject of this application. This will significantly improve the access to the parkland by eliminating the flooding and will benefit the public by eliminating the flooding of Summer Street which blocks vehicular and pedestrian traffic and threatens homes, schools and businesses.*
3. The *City of Elizabeth* acknowledges that in order to obtain the approval *of Elizabeth River Parkway/ Flood Control Project for the Elizabeth River,* all substantive and procedural requirements at N.J.A.C. 7:36-26 must be met, including compensation requirements of N.J.A.C. 7:36-26.5 and
4. The *City of Elizabeth* acknowledges that in the event the Green Acres Program classifies the Elizabeth River Parkway /*Flood Control Project for the Elizabeth River* as a major disposal or diversion of parkland, additional application information will be required under N.J.A.C. 7:36-26 before the application can proceed.
5. The *County of Union* has also endorsed this application by Resolution number 2011-969 dated November 10, 2011.

Which was adopted by the following vote:

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

NEGATIVE: None

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 January 4, 2012 - Total Amount: $4,414,81.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **1048 Madison Avenue, Elizabeth, New Jersey 07202**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the West curb line of Madison Avenue
beginning at a point 190' South of Virginia Street
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, [redacted] Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - ~~7~~ 8

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED that City Council of the City of Elizabeth hereby establishes a handicapped parking space in front of **132 Port Avenue, Elizabeth, New Jersey 07201**, as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the South curb line of Port Avenue
beginning at a point 390' East of Second Street
and continuing 22' East thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE

WHEREAS, a case is currently pending in the matter of **Anthony Sacca v. City of Elizabeth, et al, CP No.: 2010-24441;** and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. have recommended settlement for 22 1/2% of partial total or $29,523.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No 12-05390 charging the amount of $29,523.00 to Account No. 02-21-56-249 of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it4

RESOLVED that the City Council of the City of Elizabeth hereby approves and authorizes the settlement of the claim in an amount of $29,523.00 payable to **Anthony Sacca, 527 Madison Avenue, Elizabeth, New Jersey 07201,** and the **Attorney for the Plaintiff, Paul Femia, 511 Westminster Avenue, Elizabeth, New Jersey 07208.**

Which was adopted by the following vote:

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

NEGATIVE: None

Resolution for Elizabeth City Council

WHEREAS, The year 2014 will mark the Sesquarcentennial of the patent conveying all the lands between the Connecticut River and the east side of the Delaware River from Charles II to James, Duke of York;

WHEREAS, The year 2014 will also mark the 350th anniversary of the execution of deeds of release by the said James, Duke of York, to John Lord Berkeley, Baron of Stratton and Sir George Carteret of Saltrum, of these lands, which said tract of land is hereafter to be called by the name or names of New Caesarea or New Jersey: and the right of Government therein and;

WHEREAS, the year 2014 will be also be the Sesquarcentennial of the signing and publication by John Lord Berkeley and Sir George Carteret of "The Concessions and Agreements of the Lords Proprietors of the Province of New Caesarea or New Jersey to and with all the Adventurors and all such as shall settle or plant here" a declaration of the organic law of the Colony and truly "The Magna Carta of New Jersey";

WHEREAS, The foregoing events mark the beginning of the separate history of New Jersey as a Colony.

THEREFORE, It is fitting and desirable that we commemorate these beginnings of our State together with its subsequent history and its present and future role in the family of the United States for the benefit of all the people of New Jersey and the Nation, with particular focus on the Core Values that have shaped our State and City in its agriculture, education, industry, and infrastructure.

The Council of the City of Elizabeth authorizes the Mayor to appoint a committee of up to eleven persons to develop a plan for this commemoration that will promote the maximum involvement of our residents, neighborhoods, businesses, schools, civic organizations, and religious institutions in the celebrations.

The Council of the City of Elizabeth further urges our legislative delegation in Trenton: the Hon. Sen. Raymond Lesniak and the Hon. Asm. Joseph Cryan and Asw. Annette Quijano to sponsor enabling legislation to create a planning committee on a statewide level.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Historic Midtown Elizabeth Special Improvement District (SID) has requested permission to conduct its annual Sidewalk Sale on Broad Street from the Arch to the Elizabeth River and all connecting streets one block west (to Elizabethtown Plaza) with rain dates for each sale to be the Monday following the scheduled sale. The dates for the sale are as follows:

Thursday, Friday, Saturday, Sunday
May 17, - May 20, 2012

Thursday, Friday, Saturday,
June 21 – June 23, 2012

Thursday, Friday, Saturday
August 16 – August 18, 2012

Thursday, Friday, Saturday
October 11 – October 13, 2012

WHEREAS, these sidewalk sales are in no way to interfere with commuters utilizing the sidewalk and areas at designated bus stops; and

WHEREAS, this City Council deems it in the best interest of the City of Elizabeth to grant said permission under certain conditions; now, therefore, be it

RESOLVED that City Council of the City of Elizabeth hereby grants permission to the Historic Midtown Elizabeth Special Improvement District (SID) to use the above described sidewalk areas to conduct Sidewalk Sales on the above dates, upon the condition that it comply with all provisions contained in Chapter 123 of the Code of the City of Elizabeth

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE: [redacted]2

[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**	**$**	**794.87**
ELIZABETHTOWN GAS	**2-01-31-440**	**$**	**16,673.25**
FLEETCOR TECHNOLOGIES SERVICES	**2-01-31-460**	**$**	**104,139.27**
PSE&G	**2-01-31-435**	**$**	**382,707.92**
EDWARD J. SISK REIMBURSE PHONE EXPENSES 2-01-31-440	**2-01-31-440**	**$**	**183.14**
SPRINT	**2-01-31-440**	**$**	**1,688.19**
VERIZON	**2-01-31-440**	**$**	**17,379.59**

Which was adopted by the following vote:

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

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
H.S.A. our Lady of Guadalupe			5272	1-23-12
Benedictine Academy, Inc.			5273	1-23-12
Chera Hatzalah of Elizabeth			5274	2-06-12

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Cuesta, [redacted] Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 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 Mark Daddesa; and

WHEREAS, born and raised in Elizabeth, Mark settled in Helmetta, N.J. in 1990; and

WHEREAS, he retired in 2008 from Cosmair, Inc., of Somerset, New Jersey; and

WHEREAS, Mark is survived by his wife, Mercedes; his mother, Joan and his siblings, Edward Lawrence and Judi Ryan; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Mark Daddesa 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 Philip R. Leary, 67; and

WHEREAS, born in Elizabeth, New Jersey, Philip lived in Elizabeth for 62 years before moving to Lake Ridge in Toms River, five years ago; and

WHEREAS, he was a police officer in Elizabeth for eight years, and later with the Port Authority of New York/New Jersey for fourteen years; and

WHEREAS, in 1967, Philip served in the U. S. Army Reserves; and

WHEREAS, he worked in the Elizabeth's Mayor's office before becoming secretary for the City of Elizabeth's Alcohol Beverage Control Board; and

WHEREAS, Philip was an Eucharistic minister and altar server at St. Genevieve's Church, Elizabeth. He was a member of the Knights of Columbus, Council 253. Philip also belonged to the Union County Emerald Society, the Port Authority Retired Police Association, and the Elizabeth-Linden Elks; and

WHEREAS, he was predeceased by his parents, and beloved son, Paul. Philip is survived by his wife of thirty-five years, Regina; son Philip; brothers, Edward and Charles; two beautiful granddaughters, and many nieces and nephews; now, therefore,

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Philip R. Leary 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 City Council and a certified copy be sent to his family.

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the death Helen C. Kowalczyk, 82; and

WHEREAS, Helen worked for many years as a customer service representative for Sovereign Bank in the Union Square Branch of Elizabeth; and

WHEREAS, she was a member of the Ladies Auxilary Chapter 91, Polish Legion of American Veterans. Helen was also a member of St. Adalbert's, Sts. Peter and Paul, and St. Hedwig's Senior Clubs, all of Elizabeth, St. Adalbert's PTA, and bingo committee, the Greater Elizabeth Democratic Club, and a First Ward committeewoman; and

WHEREAS, Helen was the beloved wife of 59 years to Casimir Kowalczyk, loving mother of Casimir Mark and his wife, Davia, of Green Brook N.J., Gregory and his wife, Rachel, of Scotch Plains, N.J., Barbara Dmiczak and her husband, Chuck of Barnegat, and Deborah Satz of Roselle Park, N.J. She is survived by many nieces and nephews; now, therefore, be it

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

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

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

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Hester Ann Wood Gault; and

WHEREAS, in 1936 she moved to New Jersey and later in the mid forties she Studied Typing and Gregg Stenography at Drake Business School in Newark, NJ. She did not pursue a career as a secretary, but her skills would benefit her later in life when she became a member of the Guiding Light Chapter #41; and

WHEREAS, Hester worked as a TV parts assembler at RCA in Harrison, NJ and later as a domestic in Elizabeth, New Jersey; and

WHEREAS, Hester joined the international F&A.M. Masons and the Order of the Eastern Star. She was a member of the Building Light #41 in Elizabeth, Subordinate of Bedtime Grand Chapter in Newark, N.J. Sister Hester served diligently as the Financial Secretary, Worthy Matron of Bethune Chapter and has been honored several times throughout the years; and

WHEREAS, in 1950, she joined Union Baptist Church in Elizabeth, NJ and became a dedicated member and served on the Senior Usher Board and The Progressive Mother Fellowship; and

WHEREAS, in 1955, Hester married her beloved husband of 25 years, Samuel H. Gault, a long shoreman. She was preceded in death by her husband; and

WHEREAS, she was survived by her devoted and endearing son Sterling Wood and Stepchildren Bernice Brantley, Samuel Gault, Jr., Theodore Brown and Nephew Charles Robinson, grandchildren and a host of great-grandchildren relative and friends; now, therefore, be it

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

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

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

Councilman Cuesta moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Gonzalez declared City Council adjourned at

9:00 p.m.

APPROVED

NELSON GONZALEZ
President of City Council

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