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PROCEEDINGS OF CITY COUNCIL

(OFFICIAL)

ELIZABETH, N.J.

Tuesday Evening
March 13, 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; [redacted]; 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; - 8

ABSENT: Cuesta - 1

ALSO PRESENT: Jorge Estrada, Special Counsel

NOTE: Council President Gonzalez appointed Councilman Keenan as Floor Leader.

NOTE: Councilman Grova arrived at the meeting at 7:35 p.m. and assumed his seat.

PUBLIC SPEAKING

Mr. George Katogiritis, Elizabeth resident, spoke regarding how the City of Elizabeth used to be a beautiful City.

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. 4290**, entitled:

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO KLEINFELDER, EAST, INC., THREE AAA DIRVE, HAMILTON, NEW JERSEY ON BEHALF OF EXXONMOBIL ENVIRONMENTAL SERVICES COMPANY, TO INSTALL FOUR (4) SOIL BORINGS IN THE ACCESS ROAD TO THE DEPARTMENT OF PUBLIC WORKS MAINTENANCE FACILITY AND ONE MONITOIRNG WELL IN THE ATLANTIC STREET RIGHT-OF-WAY IN THE VICINITY OF THE ACCESS ROAD TO THE DEPARTMENT OF PUBLIC WORKS MAINTENANCE FACILITY.

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

The Notice of Public Hearing was published in the Star Ledger issue of **March 5, 2012.**

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

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

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4291**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR AMPARO LOREDO, 414 MARSHALL STREET, ELIZABETH, NEW JERSEY 07206.

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

The Notice of Public Hearing was published in the Star Ledger issue of **March 5, 2012.**

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

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

Council President Gonzalez announced that the next business in order would be a public hearing on **Ordinance No. 4292**, entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR GLADIS R. LEYVA, 622 FOURTH AVENUE, ELIZABETH, NEW JERSEY 07202.

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

The Notice of Public Hearing was published in the Star Ledger issue of **March 5, 2012**.

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

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

Council President Gonzalez announced that the next order of business would be a public hearing on the Historic Midtown Elizabeth Special Improvement District Budget for Fiscal Year 2012 in the amount of $317,187.50.

Council President Gonzalez asked if there was anyone present who wished to speak either for or against the adoption of the Historic Midtown Elizabeth Special Improvement District Budget for Fiscal Year 2012.

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

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated March 5, 2012, from His Honor the Mayor, advising that subject to your advice and consent, is making the following appointments: Suzette Cavadas, Esq., and Kevin D. Harris, Esq., Temporary Municipal Prosecutors of the Municipal Court of the City of Elizabeth.

Which was received.

By the Clerk:

Letter dated February 29, 2012, from the Business Administrator requesting authorization for the proper City officials to renew the policy of Insurance covering Public Officials and Employees Liability with Admiral Insurance Company, through the agent-of-record, Hughes-Plumber & Associates, Somerville, NJ, for the period of January 31, 2012 through January 31, 2013, at an annual premium of $69,874.13.
Which was received.

By the Clerk:

Letter dated March 1, 2012, from the Business Administrator recommending the award of a contract to David Weber Oil Company, 601 Industrial Road, Carlstadt, NJ, for automotive lubricants, oils, grease and hydraulic oils for various departments for the period of February 29, 2012 through March 29, 2012, at a cost not to exceed $10,000.00.
Which was received.

By the Clerk:

Letter dated March 1, 2012, from the Business Administrator recommending the award of a contract to Bank of America/Staples, 500 Staples Drive, Framingham, MA, for the purchase of office supplies for all Departments and Divisions at a cost not to exceed $200,000.00; and with W.B. Mason Company, Inc., 535 Secaucus Road, Secaucus, NJ, for the purchase of toner and cartridges for printers and Fax machines, through the Somerset County Co-Op, at a cost not to exceed $80,000.00 for the period of March 5, 2012 through January 31, 2013, at a total cost of $280,000.00.
Which was received.

By the Clerk:

Letter dated March 1, 2012, from the Business Administrator recommending the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, NJ, for reflective sheeting for the Public Works Department for the period of February 29, 2012 through March 31, 2012, at a cost not to exceed $10,000.00.
Which was received.

By the Clerk:

Letter dated March 6, 2012, from the Business Administrator recommending the award of a contract to Allied Oil, LLC, 25 Old Camplain Road, Hillsborough, NJ, for the purchase of gasoline for the Public Works Marina for the period of March 2, 2012 through March 1, 2014, at a cost not to exceed $300,000.00.
Which was received.

By the Clerk:

Letter dated March 2, 2012, from the Chief Financial Officer requesting the City Council's approval of the City's Tax Year 2012 Cash Management Plan for the period January 1, 2012 through December 31, 2012.
Which was received.

By the Clerk:

Letter dated March 2, 2012, from the Chief Financial Officer requesting authorization for the Tax Collector to accept payment of taxes without interest charges provided said payment is made within the tenth calendar day following the date upon which same become payable, and fix the rate of interest to be charged for delinquent taxes.
Which was received.

By the Clerk:

Letter dated March 6, 2012, from the Chief Financial Officer requesting authorization to submit an application to the Local Finance Board to participate in the New Jersey Environmental Trust 2012 Financing Program to finance the Midtown Infrastructure Project not to exceed $7.5 million; the interest rate will be less than one-half that of a regular financing.
Which was received.

By the Clerk:

Letter dated March 2, 2012, from Advisory Council Mario Benedetti, Elizabeth, NJ, requesting permission to have a bust of General Jose Artigas, a National hero of Uruguay, installed in Winfield Scott Plaza.
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated March 6, 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 NJ Environmental Infrastructure Trust financing pool: a resolution as to the form and sales not to exceed $7.5 million General Obligation Bonds and a resolution authorizing documents in connection with each application with the interest rate less than one-half that of a regular financing.
Which was received.

By the Clerk:

Letter dated March 5, 2012, from the Director of Planning and Community Development requesting to amend the resolution dated October 25, 2011, authorizing the execution of a Neighborhood Stabilization Program Third Party Agreement with Magill Real Estate Holdings, LLC, for the provision of a loan for the rehabilitation of a two (2) family home located at 325 Fulton Street in the amount of $150,000.00, specifically to increase the amount of funds provided an additional $190,000.00, raising the amount of funds to $340,000.00 to enable Magill Real Estate Holdings, LLC., to also rehabilitate a the (3) family home located at 200 Livingston Street; change the terms of the loan from a deferred payment loan to a repayable loan not to exceed 50% of net cash flow consistent with the rules and regulations and execution of a Third Party Agreement required under the terms and conditions of the NJ State Neighborhood Stabilization Program.
Which was received.

By the Clerk:

Letter dated March 5, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into a contract with Birdsall Services Group, 65 Jackson Drive, Cranford, NJ, for professional services related to receptor evaluations for three sites: (1) 74-82 Livingston Street, (2) 119 to 127 Front Street, and (3) the Midtown Urban Development Project, in the sum of $18,500.00.
Which was received.

By the Clerk:

Letter dated March 5, 2012, from the Director of Public Works recommending the award of a contract to Underground Utilities Corporation, 711 Commerce Road, Linden, NJ, for the North Avenue Flood Control Project at a cost of $1,973,102.25.
Which was received.

By the Clerk:

Letter dated February 6, 2012, from Kleinfelder, 3 AAA Drive, Hamilton, NJ, requesting an Encroachment Permit to perform environmental remediation work within the public right-of-way of South Fifth Street and Third Avenue consisting of four (4) soil borings in South Fifth Street, two (2) temporary well points and two (2) monitoring wells in the sidewalk of South Fifth Street and four (4) soil borings in Third Avenue.
Which was received.

By the Clerk:

Letter dated February 21, 2012, from Mr. Harold Kennedy, Elizabeth Public Schools, 505 North Broad Street, Elizabeth, NJ, requesting permission to conduct a Parade/Festival on Saturday, April 21, 2012, commencing at 11:00 a.m. until 4:00 p.m.; rain date April 28, 2012.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated March 13, 2012, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, March 9, 2012.
Which was received.

By the Clerk:

Letter dated February 28, 2012, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of November, 2011, and Statement of Bank Balances and Investments as of November 30, 2011.
Which was received.

ORDINANCES ON FIRST READING

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

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

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

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

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

The Clerk read the foregoing ordinance.

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

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

NEGATIVE: None

Council President Gonzalez announced that public notice will be published fixing Tuesday, March 27, 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. 4294 and 4295, 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. 4290**, which was seconded by Councilman Keenan,

AN ORDINANCE GRANTING AN ENCROACHMENT PERMIT TO KLEINFELDER, EAST, INC., THREE AAA DIRVE, HAMILTON, NEW JERSEY ON BEHALF OF EXXONMOBIL ENVIRONMENTAL SERVICES COMPANY, TO INSTALL FOUR (4) SOIL BORINGS IN THE ACCESS ROAD TO THE DEPARTMENT OF PUBLIC WORKS MAINTENANCE FACILITY AND ONE MONITOIRNG WELL IN THE ATLANTIC STREET RIGHT-OF-WAY IN THE VICINITY OF THE ACCESS ROAD TO THE DEPARTMENT OF PUBLIC WORKS MAINTENANCE FACILITY.

WHEREAS, the Division of Engineering has reviewed an Environmental Encroachment Permit application sent by Sean C. Cannon, Environmental Scientist and Michael P. McGowan, CHMM, Project Manager with Kleinfelder East, Inc., to install four (4) soil borings in the access road to the DPW Maintenance Facility and one (1) monitoring well in the Atlantic Street right-of-way in the vicinity of the access road to the City of Elizabeth DPW Maintenance Facility. This work is required as part of a continuing NJDEP Environmental Remediation; now, therefore,

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

SECTION 1. - That an encroachment permit be granted to **Kleinfelder East, Inc., Three AAA Drive, Hamilton, New Jersey on behalf of ExxonMobile Environmental Services Company,** to install four (4) soil borings in the access road to the DPW Maintenance Facility and one (1) monitoring well in the Atlantic Street right-of-way in the vicinity of the access road to the City of Elizabeth DPW Maintenance Facility. This work is required as part of a continuing NJDEP Environmental Remediation.

SECTION 2. - the application package included a detailed plan signed and dated January 2012, prepared by Paul C. Lucuski, PE showing the location of the proposed work

SECTION 3. - The Permittee shall provide a liability insurance certificate in the aggregate amount determined by the City Engineer for property damage and personal injury naming the City of Elizabeth as an additional insured and giving the City a thirty (30) day notice of cancellation of policy. The Permittee shall also be responsible for all maintenance with regard to the encroachment.

SECTION 4. - All ordinances or parts of ordinance inconsistent with the provisions of this ordinance be and the same are hereby repealed.

SECTION 5. - 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 6. - The effective date of this ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

The Clerk read the foregoing ordinance by title.

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

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **March 5, 2012.**

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4291** , which was seconded by Councilman Keenan

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR AMPARO LOREDO, 414 MARSHALL STREET, ELIZABETH, NEW JERSEY 07206.

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

SECTION 1. - A personalized handicapped parking space for **Amparo Loredo** established in front of **414 Marshall Street, Elizabeth, New Jersey 07206** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the South curb line of Marshall Street beginning at a point 187' West of Fourth Street and continuing 22' West thereof.

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

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

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

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

The Clerk read the foregoing ordinance by title.

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

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **March 5, 2012.**

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

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

NEGATIVE: None

Council President Gonzalez announced that the next business in order would be the adoption of **Ordinance No. 4292** , which was seconded by Councilman Keenan,

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR GLADIS R. LEYVA, 622 FOURTH AVENUE, ELIZABETH, NEW JERSEY 07202.

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

SECTION 1. - A personalized handicapped parking space for **Gladis R. Leyva** established in front of **622 Fourth Avenue, Elizabeth, New Jersey 07202** as follows and pursuant to the recommendation of the Elizabeth Police Director: along the North curb line of John Street beginning at a point 40' West of Fourth Avenue and continuing 22' West thereof.

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

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

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

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

The Clerk read the foregoing ordinance by title.

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

Annexed to the ordinance was an affidavit from the publisher of the Star Ledger certifying the publication of the ordinance and notice of public hearing thereon in its issue of **March 5, 2012.**

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

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

NEGATIVE: None

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NEW BUSINESS

SPECIAL IMPROVEMENT DISTRICT
MIDTOWN ELIZABETH
2012 BUDGET

Midtown Elizabeth Special Improvement District of the City of Elizabeth, County of Union, for the calendar year 2012.

It is hereby certified that the budget annexed hereto and made part hereof is a true copy of the budget adopted by resolution of the governing body on the 13th day of March, 2012.

Certified by me

This 14th day of March, 2012

YOLANDA ROBERTS
CITY CLERK
CITY OF ELIZABETH
50 WINFIELD SCOTT PLAZA
ELIZABETH, NEW JERSEY 07201

(908) 820-4131

AYES: ( ) NAYS: ( )

ABSENT: ( )

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MIDTOWN ELIZABETH SPECIAL IMPROVEMENT DISTRICT BUDGET NOTICE

Midtown Elizabeth Special Improvement District of the City of Elizabeth, County of Union, for the calendar year 2012.

BE IT RESOLVED that the following statements of revenue and appropriations shall constitute the Midtown Elizabeth Special Improvement District Budget for the calendar year 2012.

BE IT FURTHER RESOLVED that said Budget be published in The Star-Ledger in the issue of February 24, 2012.

NOW THEREFORE, BE IT RESOLVED that the governing body of the City of Elizabeth does hereby approve the following as the Midtown Elizabeth Special Improvement District Budget for 2012.

Recorded vote:

AYES (

NAYS: (

Notice is hereby given that the Midtown Elizabeth Special Improvement District Budget was approved by the City Council of the City of Elizabeth, County of Union, on February 14, 2012

A hearing on said budget will be held at Elizabeth City Hall on March 13, 2012, at 7:30 P.M. at which time and place objections to Budget for the year 2012 may be presented by Midtown Elizabeth Special Improvement District taxpayers or other interested pers

REVENUES	
Surplus Anticipated	$0.00
UEZ Funds	$114,187.50
Miscellaneous	$3,000.00
Amount to be Raised by Special Improvement District	$200,000.00
Total Revenues	$317,187.50

APPROPRIATIONS	
Promotions & Marketing	$7,400.00
Safe and Clean	$67,970.00
Administration & Operations	$241,817.50
Total Appropriations	$317,187.50

Which was adopted by the following vote:

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

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 $20,000 for the Night Watch Program 2012 awarded by the County of Union (pass through the State of New Jersey Superior Court) 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 $20,000 which is now available as a revenue from:

Miscellaneous Revenues
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
State and Federal Revenues Off-set with Appropriations:

County of Union (pass through the State of New Jersey Superior Court)
Night Watch Program 2012 $20,000

BE IT FURTHER RESOLVED, that a like sum of $20,000 be and the same is hereby appropriated under the caption of :

General Appropriations
(a) Operations Excluded from 3 ½ % Caps
State and Federal Programs Offset by Revenues:

County of Union (pass through the State of New Jersey Superior Court)
Night Watch Program 2012
Other Expenses $20,000

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

Which was adopted by the following vote:

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

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 **Suzette Cavadas, Esq.,** to serve as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing March 13, 2012.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 7

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 **Kevin D. Harris, Esq.,** to serve as **Temporary Municipal Prosecutor** at the Elizabeth Municipal Court of the City of Elizabeth, for a one year term, commencing March 13, 2012.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, [redacted], Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - 7

NEGATIVE: None

EXCUSED: GROVA — 1

RESOLUTION OF THE CITY OF ELIZABETH,
IN THE COUNTY OF UNION, NEW JERSEY,
MAKING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:2-26(e) AND FOR
THE APPROVAL OF THE BONDS FOR PURPOSES OF N.J.S.A. 58:11B-9(a)

WHEREAS, THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY (the "City"), desires to make application to the Local Finance Board for its review and consent to non-conforming maturity schedules pursuant to N.J.S.A. 40A:2-26(e) and approval pursuant to N.J.S.A 58:11B-9(a) of the issuance of bonds by the City to the New Jersey Environmental Infrastructure Trust in connection with the City's participation in the New Jersey Environmental Infrastructure Trust Program for the City's mid-town area storm and sanitary sewer project.

WHEREAS, THE CITY COUNCIL believes:

(a) it is in the public interest to accomplish such purposes;

(b) said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;

(c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant; and

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City.

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

Section 1. The Application to the Local Finance Board is hereby approved, and the City's bond counsel, financial advisor and auditor along with other representatives of the City, are hereby authorized to prepare such Application, to file such Application with the Local Finance Board and to represent the City in matters pertaining thereto (including any related matters which may arise in the course of the Local Finance Board's review of the Application).

Section 2. The City Clerk is hereby directed to prepare and file a copy of this resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such Application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Which was adopted by the following vote:

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

NEGATIVE: None

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING $7,500,000 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, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROECTION, 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 that certain 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 $7,500,000, 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 $7,500,000. The Local Unit Bonds have been referred to and 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 PROVIDING FOR THE ISSUANCE OF $14,000,000 IN BONDS OR NOTES OF THE CITY OF ELIZABETH TO FINANCE THE COST THEREOF" which 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 $7,500,000

(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 supersedes a resolution adopted by the City on February 28, 2012, entitled, "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".

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.

Section 11. This resolution shall take effect upon the adoption hereof.

Which was adopted by the following vote:

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

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 that certain 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 $7,500,000, 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 (or A-1 if principal forgiveness is authorized by the State), B (or B-1 if principal forgiveness is authorized by the State) and C (or C-1 if principal forgiveness is authorized by the State), 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 supersedes a resolution adopted by the City Council on February 28, 2012, entitled, "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".

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.

Section 5. This resolution shall take effect upon adoption hereof.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED, that pursuant to N.J.S.A. 40A:5-14, the Cash Management Plan of the City of Elizabeth effective January 1, 2012 through December 31, 2012 is hereby approved.

CASH MANAGEMENT PLAN OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY

I. STATEMENT OF PURPOSE.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the City of Elizabeth, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. DESIGNATION OF DEPOSITORIES.

The following banks and financial institutions as set forth in Schedule A are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

The Plan is intended to cover the deposit and/or investment of all funds and accounts of the City of Elizabeth.

IV. DESIGNATION OF OFFICIALS OF THE CITY OF ELIZABETH AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The City Treasurer of the City of Elizabeth (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan.

V. AUTHORIZED INVESTMENTS.

The Designated Official is hereby authorized to invest the public funds covered by this Plan in the following permitted investments:

(1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;

(2) Government money market mutual funds;

(3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;

(4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;

(5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;

(6) Local government investment pools;

(7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A - 90.4); or

(8) Agreements for the repurchase of fully collateralized securities if:

(a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;

(b) the custody of collateral is transferred to a third party;

(c) the maturity of the agreement is not more than 30 days;

(d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9 - 41); and

(e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "Government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

(a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940, " 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.

(b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R.

sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S.Government securities; and

(c) which has:

(i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or

(ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940," 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of $500 million.

Local Government Investment Pool. An investment pool:

(a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7:

(b) which is rated in the highest category by a nationally recognized statistical rating organization:

(c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;

(d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;

(e) which does not permit investments in instruments that are subject to high price volatility with changing market conditions; cannot reasonably be expected at the time of interest rate adjustment to have a market value that approximates their par value or utilize an index that does not support a stable net asset value; and

(f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State

bank located within this State, or through a broker-dealer which at the time of purchase or redemption has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least $25 million in capital stock (or equivalent capitalization if not a (corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in borrowing on such U.S. Government securities.

VI. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or permitted Investment involves a document or security which is not physically held by the City of Elizabeth, then such instrument or security shall be covered by a custodial agreement with an independent third party which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the City of Elizabeth to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the City of Elizabeth or by a third party custodian prior to or upon the release of the City of Elizabeth's funds.

To assure that all parties with whom the City of Elizabeth deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan and all such parties shall acknowledge the receipt of that Plan in writing, a copy shall be on file with the Designated Official.

VII. REPORTING REQUIREMENTS

A monthly report of the receipts, disbursements and fund balances shall be submitted by the Designated Official to the City Council of the City of Elizabeth.

VIII. TERM OF PLAN.

This plan shall be in effect from January 1, 2012 to December 31, 2012. Attached to this Plan is a resolution of the City Council of the City of Elizabeth approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by City Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

CASH MANAGEMENT PLAN OF THE CITY OF ELIZABETH, IN THE COUNTY OF UNION, NEW JERSEY

SCHEDULE A
DESIGNATION OF DEPOSITORIES

Wells Fargo Bank

Bank of America

Union County Savings Bank

Sovereign Savings Bank (Santander Bank)

Spencer Savings Bank

Garden State Community Bank – Division of NY Community Bank

Banco Popular

Crown Bank

Investors Savings Bank

Chase Bank

PNC Bank

North Fork Bank (Capital One)

MBIA Class Investment Fund

New Jersey Asset & Rebate Management Program (NJ/ARM)

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

RESOLVED, that in accordance with N.J.S.A. 54:4-67, as amended and supplemented by Chapter 435 of the Laws of 1979 and Chapter 75 of the Laws of 1991, the Tax Collector is hereby authorized to accept payment of taxes without interest charges provided said payment is made within the tenth calendar day following the date upon which the same became payable; and be it

FURTHER RESOLVED, that when a Saturday, Sunday, or legal holiday occurs on the tenth day period referred to above, an extra day or days grace be given for said holiday (s); and be it

FURTHER RESOLVED, that the governing body does hereby fix as the rate of interest to be charged for delinquent taxes, assessments, water and sewer charges at 8% per annum on the first $1,500.00 of the delinquency, and 18% per annum on any amount in excess of $1,500.00, to be calculated from the date the tax was payable until the date of actual payment; and be it

FURTHER RESOLVED, by the City Council of the City of Elizabeth to add an additional penalty of six percent (6%) on delinquent taxes in excess of $10,000.00 that are not paid prior to the end of the fiscal year.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, there exists a need to renew the Insurance Coverage for Public Officials and Employee Liability; and

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to renew the policy of insurance covering Public Officials and Employee Liability with **ADMIRAL INSURANCE COMPANY, 1255 Caldwell Road, Cherry Hill, New Jersey 08034.** This policy will be processed through Hughes-Plumer & Associates, Somerville, NJ 08034-3220, for the cost of $69,874.13 for the period January 31, 2012 to January 31, 2013; and

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-06935 charging the amount of $69,874.13 to Account No. 2-01-23-210-INS of the Municipal Budget is on file in the Office of the City Clerk;

WHEREAS, insurance companies are exempt from the provisions of Chapter 2.92 of the Code of the City of Elizabeth; and

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

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to renew the policy of insurance covering Public Officials and Employees Liability with **ADMIRAL INSURANCE COMPANY, 1255 Caldwell Road, Cherry Hill, New Jersey 08034-3220.** This policy of insurance will be processed through Hughes-Plumer & Associates, Somerville, New Jersey 08034-3220, for the period January 31, 2012 to January 31, 2013 at a total cost of 69,874.13.

2. Quotations were not solicited for this contract because it was determined that **ADMIRAL INSURANCE COMPANY** is providing this service to the City and has a rating of A+ is being made because this proposal offers a continuation of the present insurance for the purpose stated hereinabove.

3. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance and Banking, in order to qualify to do business within this State. New Jersey Statute 40A:11-5(m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements thereof.

4. This cannot be described by written specifications because of the unique nature of the services to be rendered as more fully explained in paragraph (3) above.

5. A notice of this action shall be published in **The Star Ledger**.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and Purchasing Agent have recommended per the request of the Director of Public Works an award of a contract to **David Weber Oil Co., 601 Industrial Road, Carlstadt, New Jersey 07072,** for Automotive Lubricants, Oils, Grease and Hydraulic Oils for Various Departments for the period of February 29, 2012 through March 29, 2012 at a cost not to exceed $10,000.00 under State Contract No. 70846; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 70846 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 **David Weber Oil Co., 601 Industrial Road, Carlstadt, New Jersey 07072,** for Automotive Lubricants, Oils, Grease and Hydraulic Oils for Various Departments for the period of February 29, 2012 through March 29, 2012 at a cost not to exceed $10,000.00 under State Contract No. 70846.

Which was adopted by the following vote:

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

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 **Bank of America/Staples, 500 Staples Drive, Framingham, MA 01702,** for the purchase of Office Supplies for all Departments and Divisions at a cost not to exceed $200,000.00 under their State Contract No. 77249; and with **W. B. Mason Co., Inc., 535 Secaucus Road, Secaucus, NJ 07094**, for the purchase of Toner and Cartridges for Printers and Fax Machines through the Somerset County Co-Op Contract #CC-0002-12 at a cost not to exceed $80,000.00 for a total cost of $280,000.00 for the period of March 5, 2012 through January 31, 2013; and

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

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 77249 and Somerset County Co-Op Contract #CC-0002-12 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 **Bank of America/Staples, 500 Staples Drive, Framingham, MA 01702,** for the purchase of Office Supplies for all Departments and Divisions at a cost not to exceed $200,000.00 under their State Contract No. 77249; and with **W. B. Mason Co., Inc., 535 Secaucus Road, Secaucus, NJ 07094**, for the purchase of Toner and Cartridges for Printers and Fax Machines through the Somerset County Co-Op Contract #CC-0002-12 at a cost not to exceed $80,000.00 for a total cost of $280,000.00 for the period of March 5, 2012 through January 31, 2013.

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and Purchasing Agent have recommended per the request of the Director of Public Works an award of a contract to **Garden State Highway Products, 1740 East Oak Road, Vineland, New Jersey 08361,** for Reflective Sheeting for the Public Works Department for the period of February 29, 2012 through March 31, 2012 at a cost not to exceed $10,000.00 under State Contract No. 74075; and

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 74075 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 **Garden State Highway Products, 1740 East Oak Road, Vineland, New Jersey 08361,** for Reflective Sheeting for the Public Works Department for the period of February 29, 2012 through March 31, 2012 at a cost not to exceed $10,000.00 under State Contract No. 74075.

Which was adopted by the following vote:

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

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 **Allied Oil, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844,** for the purchase of Gasoline for the Public Works Marina for the period of March 2, 2012 through March 1, 2014 at a cost not to exceed $300,000.00 under State Contract No. 80914; and

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

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

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

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is a purchase through a State of New Jersey Contract No. 77249 and Somerset County Co-Op Contract #CC-0002-12 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 **Allied Oil, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844,** for the purchase of Gasoline for the Public Works Marina for the period of March 2, 2012 through March 1, 2014 at a cost not to exceed $300,000.00 under State Contract No. 80914.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, 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 & Community Development has requested an award of a contract to **Birdsall Services Group, 65 Jackson Drive, Cranford, New Jersey 07016,** for professional environmental services related to receptor evaluations for three sites: (1) 74-82 Livingston Street, (2) 119 to 127 Front Street, and (3) the Midtown Urban Development Project; in the sum of 18,500.00; and

WHEREAS, the scope of the work includes, but not limited to: site inspections of (1) 74-82 Livingston Street, (2) 119 to 127 Front Street, and (3) the Midtown Urban Development Project the existing New Jersey Department of Environmental Protection (NJDEP) cases, review of records on file at the NJDEP, canvassing potential receptors/surface water bodies/drainage structures/unpermitted wells, and prepare a revised receptor evaluation form for NJDEP submittal; and

WHEREAS, the request for qualification 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**. 40A11-5 (a) (i); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-06936 charging the amount of $18,500.00 to Account No. X-04-5594-8001 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 authorizes the award of a contract to:

1. **Birdsall Services Group, 65 Jackson Drive, Cranford, New Jersey 07016,** for professional environmental services related to receptor evaluations for three sites: (1) 74-82 Livingston Street, (2) 119 to 127 Front Street, and (3) the Midtown Urban Development Project, in the sum of 18,500.00. The proper City Officials are hereby authorized to execute a contract under the terms setforth above.

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of Public Works has advised that on March 2, 2012 eight (8) bids for the North Avenue Flood Control Project were received; and

WHEREAS, the lowest responsible bidder was **Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036**, in the amount of $1,973,102.25; and

WHEREAS, the project consists of drainage improvements for the low area of North Avenue beneath the railroad bridge between Pennsylvania Avenue and Jefferson Avenue. The installation of drainage pipe will extend along Madison Avenue to Fanny Street; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 12-07020, charging the amount of $1,190,272.00 to Account No. X-08-55-040-034 and Certification No. 12-07021, charging the amount of $782,830.25 to Account No. X-08-55-039-034 of the Municipal Budget is on file in the Office of the City Clerk; and

WHEREAS, the amount of the contract in question exceeds $50,000.00 and the provisions of Chapter 2.92 of the Code of the City of Elizabeth have been complied with by **Underground Utilities Corporation;** now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth authorizes an award of a contract to the lowest responsible bidder **Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036** to provide drainage improvements for the low area of North Avenue beneath the railroad bridge between Pennsylvania Avenue and Jefferson Avenue. The installation of drainage pipe will extend along Madison Avenue to Fanny Street in the amount $1,973,102.25.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, 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 authorization to amend the resolution dated October 25, 2011, which authorized the execution of a Third Party Agreement with **Magill Real Estate Holdings, LLC,** for the provision of a loan in the amount of $150,000.00 for the rehabilitation of a two-family home located at **325 Fulton Street, Elizabeth, New Jersey**; and

WHEREAS, this amendment is needed to increase the amount of funds provided by $190,000.00 to $340,000.00 to enable **Magill Real Estate Holdings, LLC** to also rehabilitate a three-family home located at **200 Livingston Street.** It has also needed to change the terms of the loan from a deferred payment loan to a repayable loan not to exceed 50% of net cash flow, consistent with the State of New Jersey Neighborhood Stabilization Program rules and regulations; and

WHEREAS, the execution of a Third Party Agreement is required under the terms and conditions of the executed NJ State Neighborhood Stabilization Program (NSP1) grant agreement #2009-02293-1757-00 received on September 30, 2009; and

WHEREAS, the project's applicant/owner is **Magill Real Estate Holdings, LLC., 806 E. Jersey Street, Elizabeth, New Jersey 07201,** for properties located at **325 Fulton Street** and **200 Livingston Street, Elizabeth, New Jersey** for the purpose of the rehabilitation of a two (2) unit and a three (3) unit building a total of five (5) units. Units will be rented at affordable rents to income eligible persons; and

WHEREAS, the maximum assistance to be provided is $150,000.00 and $190,000.00 for a total of ($340,000.00). The total project cost are $293,074.00 and $372,981.00 for a total of $666,055.00. The terms are at 0% interest during construction, 1% interest upon construction completion with annual payments made to State of New Jersey will not to exceed 50% of net cash flow for a period of affordability of fifteen (15) years; and

RESOLVED that the City Council of the City of Elizabeth authorizes an amendment to the resolution adopted October 25, 2011, which authorized the execution of a Third Party Agreement with **Magill Real Estate Holdings, LLC,** for the provision of a loan in the amount of $150,000.00 for the rehabilitation of a two-family home located at **325 Fulton Street, Elizabeth, New Jersey.** The amendment is will increase the amount of funds provided by $190,000.00 for a total of $340,000.00 to enable **Magill Real Estate Holdings, LLC** to also rehabilitate a three-family home located at **200 Livingston Street.** The amendment will also change the terms of the loan from a deferred payment loan to a repayable loan not to exceed 50% of net cash flow, consistent with the State of New Jersey Neighborhood Stabilization Program rules and regulations. The total project cost are $293,074.00 and $372,981.00 for a total of $666,055.00. The terms of the loan are at 0% interest during construction, 1% interest upon completion of construction with annual payments made to State of New Jersey not to exceed 50% of net cash flow for a period of affordability of fifteen (15) years; and be it

FURTHER RESOLVED, the actual execution of the Third Party Agreement will only occur upon satisfactory completion of the Environmental Review Process, upon receipt the Release of Funds, if necessary, and any other requirements deemed necessary by the U.S. Department of Housing & Urban Development and the New Jersey Department of Community Affairs, in accordance with NSP program rules and regulations. A Mortgage, Note and Deed Restriction will be executed by the State and not the City of Elizabeth.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, [redacted], Jackus, Grova, Keenan, Cedeno, Gallman, Mazza, and President Gonzalez - [redacted] 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 **743 Jefferson Avenue, Elizabeth, New Jersey 07208,** as follows, pursuant to the recommendation of the Elizabeth Police Director:

along the East curb line of Jefferson Avenue
beginning at a point 290' South of North Avenue
and continuing 22' South thereof;

and be it

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Governor of the State of New Jersey recently announced that the State Department of Education, in conjunction with the School Development Authority ("SDA"), plans to finance and construct a new school facility in the City of Elizabeth; and

WHEREAS, although the proposed facility to be constructed must be presently listed on the Elizabeth Board of Education's Long Term Facilities List, it may become necessary to acquire land in order to construct said facility; and

WHEREAS, Title 18A of the New Jersey Statutes and more specifically, N.J.S.A. 18A:7G-46, in pertinent part, specifies that if it becomes necessary to acquire land for a school facilities project, then the governing body of the municipality and the board of education shall jointly submit to the commissioner and to the SDA a list of acceptable sites to be acquired; and

WHEREAS, in order to satisfy the statutory requirements, the City Council of the City of Elizabeth desires to create a committee comprised of selected members of the City Council and members of the Elizabeth Board of Education; now, therefore be it

RESOLVED by the City Council of the City of Elizabeth that a committee shall hereby be created, whose purpose shall be to comply with the requirements of N.J.S.A. 18A:7G-46, in developing a list of acceptable sites to potentially be acquired for development of a new school facility located in the City of Elizabeth; be it

FURTHER RESOLVED that the committee described in the aforementioned paragraph shall be comprised of three (3) members of the City Council, who shall be appointed by the President of City Council, and the Elizabeth Board of Education; be it

FURTHER RESOLVED that the City Council of the City of Elizabeth, in the spirit of cooperation and in the best interests of the residents, taxpayers and school children of the City of Elizabeth, hereby invite the Elizabeth Board of Education to designate three (3) of its members to be a part of this committee; be it

FURTHER RESOLVED that the City Clerk forward a copy of this resolution to the Governor, Acting Commissioner of Education, the SDA and the Elizabeth Board of Education.

Which was adopted by the following vote:

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

NEGATIVE: None

41

BY CITY COUNCIL AS A WHOLE:

RESOLVED, by City Council of the City of Elizabeth that Tuesday, May 22, 2012 is hereby designated as **"Youth in City Government Day"** and that the regular meeting scheduled for May 22, 2012 will be held at 2:00 p.m. instead of 7:30 p.m.; and be it

FURTHER RESOLVED, that Councilman, Frank J. Cuesta as appointed as Chairman of said affair.

Which was adopted by the following vote:

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

NEGATIVE: None

42

BY CITY COUNCIL AS A WHOLE: [redacted]

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

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

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

CONSTELLATION NEW ENERGY, INC.	**2-01-31-430**	**$**	**372.69**
ELIZABETHTOWN GAS	**2-07-55-500-SEW-351**	**$**	**2,075.98**
PSE&G	**2-07-55-500-SEW-351**	**$**	**181,883.82**
SPRINT	**2-01-31-440**	**$**	**1,829.00**
VERIZON	**2-01-31-440**	**$**	**35,002.97**
VERIZON WIRELESS	**2-01-20-110-MAY-325**	**$**	**309.60**
VERIZON COMMUNICATIONS, INC.	**2-01-31-440**	**$**	**356.63**
USA MOBILITY	**2-01-31-440**	**$**	**174.20**

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

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

WHEREAS, to become an Eagle Scout, a Scout must plan, develop, and give leadership to others in a service project helpful to any religious institution, any school, or community. The service project that Matthew led consisted of renovating a public meeting area at St. Joseph Social Service Center in Elizabeth, New Jersey; and

WHEREAS, Matthew A. Lopes' project included replacing the old linoleum tiles with new ceramic tiles and replacing the falling ceiling tiles with a new fire-rated drop ceiling. The old cabinets in the room were removed and replaced with new base and hanging cabinets that provided more storage and created a more efficient work area. Additionally, a kitchenette setup was added since the center also provides meals to the people using the center and its services. Along with the renovations, new electrical upgrades, and plumbing work was also completed. Finally, a fresh painting of the entire area was done to complete the renovations; and

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

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

Which was adopted by the following vote:

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

NEGATIVE: None

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth is saddened to learn of the recent death of Donald M. Payne, Democratic U.S. Rep, the first black elected to represent New Jersey in Congress, 77; and

WHEREAS, he was a 12th term to the House of Representatives. He represented the 10th District, which includes the City of Newark and parts of Essex, Hudson and Union Counties; and

WHEREAS, Congressman Payne was a member of House committees on education and foreign affairs. He also had served as Chairman of the House subcommittee on Africa. He traveled many times to the Africa continent on foreign affairs matters; and

WHEREAS, Payne was Chairman of the Congressional Black Caucus and a congressional delegate to the United Nations. He also was a member of the Newark City Council from 1962 until 1988. He was a teacher in Newark for fifteen years. He also served as President of the National YMCA. He earned a bachelor's degree from Seton Hall University in 1957; and

WHEREAS, New Jersey Rep. Bill Pascrell, Jr., whose district is to the north of Newark called him a "champion for education and civil rights who sought to combat injustice all over the world"; and

WHEREAS, Donald M. Payne was a widower with three children and four grandchildren. His son, Donald Payne, Jr., is a Newark City Councilman; now, therefore, be it

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Donald M. Payne express sympathy to the New Jersey House of Representatives, his colleagues, 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 WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned of the recent death of Angelina (Nigro) Gallaso, 97; and

WHEREAS, Angelina was born to immigrant parents, Frank and Anna Nigro, in Elizabeth; and

WHEREAS, she was happily married for 41 years to Dallas Gallaso, and they raised two daughters together. Dallas passed away in 1978; and

WHEREAS, Angelina lived most of her life in Elizabeth until her retirement from the Elizabeth Board of Education in 1979 where she was a bus attendant. She then moved to Branchburg, NJ to live with her children; and

WHEREAS, Angelina had remained a member of St. Anthony's Parish in Elizabeth; and

WHEREAS, she was a member of the Ladies Vallatese Society for many years. She also belonged to the Peterstown Retired Men's and Ladies Club, the St. Anthony's Senior Club and St. Ann's Rosary Society; and

WHEREAS, Angelina is survived by her loving daughters, Theresa Mistichelli and her husband Lorenzo, and Barbara Killian and her husband, Steven; her adored grandchildren, and great-grandchildren and 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 Angelina (Nigro) Gallaso 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 Margaret Ruth Donegan, 82; and

WHEREAS, born in Harrison, N.J., Mrs. Donegan lived in Elizabeth for most of her life; and

WHEREAS, she was the beloved wife of the late Patrick J. Donegan; devoted mother and mother-in-law of Patrick and his wife, Joanne; William and his wife, Michele; Roseanne Costello, son-in-law Jack Costello; Maureen Lis and her husband, Ron; Bernadette Testa and her husband, Frank; Anne Margaret Calavano and her husband, Ron; Sheila O'Brien and her husband, Troy, and Timothy and his wife, Jennifer, and loving sister of Joseph Flatley and Catherine McConnan. She was predeceased by ten brothers and one sister and was the cherished grandmother of twenty-four; and

RESOLVED that the City Council of the City of Elizabeth hereby expresses its condolences at the passing of Margaret Ruth Donegan 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 Keenan moved that City Council do now adjourn,

Which was carried unanimously.

Whereupon Council President Gonzalez declared City Council adjourned at

7:55 p.m.

APPROVED

NELSON GONZALEZ
President of City Council

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