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

President Kevin Kiniery 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 and Home News Tribune and posted and filed in the City Clerk's Office in compliance with the terms of the Open Public Meetings Law, Chap. 231, P.L. 1975 on December 27, 2019.

PRESENT: Council members at Large Patricia Perkins-Auguste, Manny Grova, Jr; Council members Nelson Gonzalez, 2nd Ward; Carlos Cedeno, 4th Ward; William Gallman, Jr., 5th Ward; Frank O. Mazza, 6th Ward And President Kevin J. Kiniery, 3rd Ward – 9.

ABSENT: Council members Frank J. Cuesta-at-Large; Carlos Torres, 1st Ward – 2.

NOTE: Council President Kiniery appointed Councilman Gallman Floor Leader.

ALSO PRESENT: Jorge Estrada, Special Counsel.

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

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

Councilwoman Perkins-Auguste announced that March is Women's History Month. She continued that there are many women in this city who have serviced this city over the years. She encouraged them to continue their work. She then read and presented the commendations.

PUBLIC SPEAKING

Mr. Kason Little, 349 Elizabeth Avenue, congratulated all of the women who were honored here tonight.

Mr. Little stated that he has spoken before this Council many times and things must be addressed. We cannot afford to lose anymore residents. He questioned what is City Council doing to save them. He continued that many of these people look to Council for help, but he alleges that all he gets is "lip service." He queried to all of the young people who have lost their lives to gun violence. He believes that City Council must do better. He is "sick" of seeing the family of friends with grief on their faces. He stated further that if it was a member of your family, what would you do? He stated that City Council members should not have to be personally affected. Residents of this City voted for each of you to serve them. He continued that he hopes that City Council does better by addressing the right issues. There is a lot of work to be done and you have to do better by realizing the City has a problem.

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

The minutes of the meetings held Organization Meeting, January 2, 2017; Conference Meetings: January 3, 17; February 7, 21; March 7, 21; April 7, 21; April 4, 18; May 2, 18; June 7, 20; July 5; August 1; September 5, 19; October 3, 17; November 8, 21; December 5, 19, 2017; Regular Meetings: January 10, 24; February 14, 28; March 14, 28; April 11, 25; May 9, 23; June 13, 27; July 25; August 22; September 12, 26; October 10, 24; November 13, 28; December 12, 27, 2017; Special Meetings; July 5, December 12, 2017 were approved as printed.
Council President Kiniery announced that the next business in order would be a public hearing on Ordinance No. 5311 entitled:

AN ORDINANCE TO AUTHORIZE THE PROPER CITY OFFICIALS TO EXECUTE A REDEVELOPMENT AGREEMENT WITH MREH (MAGILL REAL ESTATE HOLDINGS) NEW POINT, LLC, FOR THE TRANSFER OF 30-34 BANK STREET (BLOCK 7, LOT 48) AND NEW POINT ROAD (BLOCK 7, LOT 562)

This ordinance was adopted on its first reading at the meeting of City Council held on February 25, 2020.

The Notice of Public Hearing was published in the Star Ledger issue of March 2, 2020.

The Clerk read the foregoing ordinance and Council President Kiniery 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 Kiniery declared the public hearing closed.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated February 25, 2020, from the Business Administrator request authorization for the proper City officials to accept and execute all appropriate documents for a Sub Grant Agreement with the County of Union, New Jersey, 10 Elizabethtown Plaza, Elizabeth, NJ for the Department of State 2020 Complete Count Commission County Grants Program from February 1, 2020 through June 30, 2020 for an amount not to exceed $80,000.00.
Which was received.

By the Clerk:
Letter dated February 26, 2020, from the Business Administrator recommending awarding a contract to Power Place, Inc., 297 Route 22 East, Whitehouse Station, NJ for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020 through February 16, 2021 at a cost not to exceed $100,000.00.
Which was received.

By the Clerk:
Letter dated February 26, 2020, from the Business Administrator recommending awarding a contract to Cherry Valley Tractor Sales, 35 Route 70 West, Marlton, NJ for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020 through February 16, 2021 at a cost not to exceed $100,000.00.
Which was received.
PETITIONS, COMMUNICATIONS, ETC. (Cont’d)

By the Clerk:
Letter dated February 26, 2020, from the Business Administrator recommending awarding a contract to Storr Tractor Co., 3191 US Highway 22, Branchburg, NJ for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020 through February 16, 2021 at a cost not to exceed $100,000.00. Which was received.

By the Clerk:
Letter dated February 27, 2020, from the Business Administrator request to amend the resolution adopted on February 11, 2020 awarding a contract to Emergency Accessories & Installations, Cherry Hill, NJ for the purchase of vehicle electronics and equipment at a cost not to exceed $325,000.00, specifically for additional equipment in the amount of $15,000.00 thereby raising the amount of the contract to $340,000.00. Which was received.

By the Clerk:
Letter dated February 26, 2020, from the Business Administrator recommending awarding a contract to Johnston Communications Voice and Data, 322 Belleville Tpke., North Arlington, NJ for the purchase of cameras, radios, antennas and other accessories for various departments for the period of February 1, 2020 to January 31, 2021 at a cost not to exceed $200,000.00. Which was received.

By the Clerk:
Letter dated February 26, 2020, from the Business Administrator recommending awarding a contract to Buywise Auto Parts, 2087-2091 Springfield Avenue, Vauxhall, NJ for non-OEM auto parts and accessories including, but not limited to filters, brakes, gaskets and valves for light duty vehicles for various departments for the period of February 25, 2020 through February 25, 2021 at a cost not to exceed $200,000.00. Which was received.

By the Clerk:
Letter dated February 26, 2020, from the Business Administrator recommending awarding a contract to Route 23 Auto Mall, 1301 Route 23 South, Butler, NJ for non-OEM auto parts and accessories for light duty vehicles including, but not limited to brakes, spark plugs and filters for various departments for the period of February 25, 2020 through February 25, 2021 at a cost not to exceed $50,000.00. Which was received.

By the Clerk:
Letter dated February 27, 2020, from the Business Administrator request authorization for the proper City officials to apply, accept and sign all appropriate documents for a Risk Communication Campaign for Coastal New Jersey; Community-Based Art Grant Program from the New Jersey Department of Environmental Protection – Bureau of Climate Resilience Planning; with anticipated funding, the City will work with local artists to create an artistic mural, which highlights the City’s environmental points of interests and supports the Go Green initiatives for an amount not to exceed $10,000.00. Which was received.

By the Clerk:
Letter dated February 28, 2020, from the Business Administrator request authorization for the proper City officials to obtain a policy of insurance with the American Bankers Insurance Company of Florida, through agent-of-record Otterstedt Insurance Agency, Inc., 540 Sylvan Avenue, Englewood Cliffs, NJ for flood insurance for the Marina Shed, Office and 519 Trenton Avenue pump station required by FEMA for the period of April 22, 2020 to April 22, 2021 at an annual premium of $4,161.00. Which was received.
PETITIONS, COMMUNICATIONS, ETC. (Cont’d)

By the Clerk:
Letter dated March 3, 2020, from the Chief Financial Officer advising that additional grants may be appropriated in the 2020 SFY Budget by budget amendments (Chapter 159). Which was received.

By the Clerk:
Letter dated March 3, 2020, from the Chief Financial Officer advising in compliance with the SFY 2016 Appropriations Act requires that your Honorable Body approve all payments related to accumulated/uncompensated absence benefits. Which was received.

By the Clerk:
Letter dated March 3, 2020, from the Chief Financial Officer request that your Honorable Body consider a resolution providing for a Single and Combined Issue of General Improvement and a Single and Combined Issue of Sewer Utility Bonds; authorize the sale of up to $8,000,000.00 principal amount of General Improvement Bonds, Series 2020 and up to $10,000,000.00 principal amount of Sewer Utility Bonds, Series 2020; authorize advertisement of a Notice of Sale; authorize the Chief Financial Officer to sell and award the Bonds; determining the form and other details of the Bonds; and authorize other matters relating thereto. Which was received.

By the Clerk:
Letter dated March 3, 2020, from the Chief Financial Officer advising that capital ordinances, as per the delineated list, no longer deemed required may be canceled where authorizations have been completed and balances remain; unfunded balances in these accounts in the amount of $42,519.33 will be canceled and not bonded; funded balances in the amount of $2,461,491.15 will be canceled to Surplus. Which was received.

By the Clerk:
Letter dated February 25, 2020, from the Director of Planning and Community Development request to amend the resolution adopted on December 10, 2019 authorizing to modify HOME documents governing the E-Town Housing and Community Development Corporation Project to reflect a Non-Recourse Provision on the properties located at 158-168 First Street, 200-208; 208-210; 212-214 Third Street in the amount of $1,097,402.00, specifically to reflect the following language in the Purpose Section: 60 new residential units of which eleven (11) will be HOME assisted and three (3) will be RCA assisted; $305,000.00 for acquisition and $792,402.00 new construction totaling $1,097,402.00. Which was received.

By the Clerk:
Letter dated February 26, 2020, from the Director of Public Works request authorization for the proper City officials to apply, accept and sign all appropriate documents for the Union County Infrastructure and Municipal Aid Grant program; anticipated funding will be used to construct a new parking lot on City owned property at 34-58 Pine Street for an amount not to exceed $150,000.00. Which was received.

By the Clerk:
Letter dated February 27, 2020, from the Director of Public Works recommending awarding a contract to CME Associates, 3141 Bordentown Avenue, Parlin, NJ to provide professional engineering services in connection with the design and part-time construction administration of the Elizabeth Avenue Streetscape Phase 3 at a cost not to exceed $174,598.00 plus reimbursables. Which was received.
PETITIONS, COMMUNICATIONS, ETC. (Cont’d)

By the Clerk:
Letter dated February 27, 2020, from the Director of Public Works recommending awarding a contract to Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, NJ to provide engineering services at a time and materials basis in connection with the Sewer System GIS Maintenance not to exceed $25,000.00 plus reimbursables.
Which was received.

By the Clerk:
Letter dated February 27, 2020, from the Director of Public Works request approval of Contract Amendment No. 1 to the contract awarded to Maser Consulting P.A., Red Bank, NJ to provide GIS services for the Development of an Enterprise GIS and GIS Based Parcel Mapping in accordance with State of New Jersey Tax Map Regulations and Standards at a lump sum cost of $541,000.00 plus reimbursables to provide further for GIS services at an additional lump sum cost not to exceed $19,925.00 plus reimbursables, raising the contract to $560,925.00.
Which was received.

By the Clerk:
Letter dated February 7, 2020, from GEI Consultants, Inc., 18000 Horizon Way, Suite 200, Mount Laurel, NJ, on behalf of South Jersey Industries and Elizabethtown Gas, request site access to the three (3) City properties located at Rear 200-334 Third Avenue; 433-451 South Second Street and 417-429 South First Street in connection with environmental exploration and sampling related to the Former Elizabethtown Gas Manufactured Gas Plant Operations.
Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

ORDINANCE NO. 5255
AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR ANA MARIA VALDEUSO, 467 FOURTH AVENUE, ELIZABETH, NEW JERSEY 07206

The Clerk read the foregoing ordinance.
The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kinyeri – 6.
NEGATIVE: None.
ORDINANCE NO. 5256

AN ORDINANCE TO RESCIND ORDINANCE NO. 3671, ADOPTED ON NOVEMBER 23, 2004, WHICH AUTHORIZED THE ESTABLISHMENT OF A PERSONALIZED HANDICAPPED PARKING SPACE FOR JUANA M. VALDEUSO, 467 FOURTH AVENUE, ELIZABETH, NEW JERSEY

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery - 7.

NEGATIVE: None.

ORDINANCE NO. 5312

AN ORDINANCE TO AMEND SECTION 10.40.020, OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "NO PARKING OF CERTAIN VEHICLES FROM 9:00 P.M. TO 6:00 A.M. – EXCEPTIONS."

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery - 6.

NEGATIVE: None.
ORDINANCE NO. 5313

AN ORDINANCE TO AMEND CHAPTER 10.40, OF THE CODE OF THE CITY OF ELIZABETH, ENTITLED "PARKING RESTRICTIONS ON TRUCKS, BUSES AND COMMERCIAL VEHICLES," SPECIFICALLY TO CLARIFY SECTION 10.40.045, ENTITLED "NO OFF-STREET PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONES."

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery - 6.

NEGATIVE: None.

ORDINANCE NO. 5314

AN ORDINANCE TO AMEND SECTION 10.40.050, OF THE CODE OF THE CITY OF ELIZABETH ENTITLED "VIOLATIONS AND PENALTIES."

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery - 6.

NEGATIVE: None.
ORDINANCE NO. 5315

AN ORDINANCE TO AMEND CHAPTER 10.16.010 OF THE CODE OF THE CITY OF ELIZABETH "FOUR-TON WEIGHT LIMIT - STREETS AFFECTED" SPECIFICALLY TO ADD SPRINGFIELD ROAD, BETWEEN WESTFIELD AVENUE AND CITY LINE, EXCEPT FOR THE PICKUP AND DELIVERY OF MATERIALS ON THESE STREETS.

The Clerk read the foregoing ordinance.

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

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery - 6.

NEGATIVE: None.

President Kiniery announced that public notice will be published fixing Tuesday evening March 24, 2020 at 7:30 P.M., City Council Chamber, City Hall, Elizabeth, N.J. as the time and place that City Council will conduct public hearings and further consider foregoing Ordinance Nos. 5255, 5256, 5312, 5313, 5314, 5315 adopted on first reading.
ORDIANCES ON FINAL PASSAGE

ORDINANCE NO. 5311

AN ORDINANCE TO AUTHORIZE THE PROPER CITY OFFICIALS TO EXECUTE A REDEVELOPMENT AGREEMENT WITH MREH (MAGILL REAL ESTATE HOLDINGS) NEW POINT, LLC, FOR THE TRANSFER OF 30-34 BANK STREET (BLOCK 7, LOT 48) AND NEW POINT ROAD (BLOCK 7, LOT 562)

WHEREAS, on August 27, 2019, the City Council, by Resolution, designated MREH (Magill Real Estate Holdings) New Point, LLC, 806 East Jersey Street, Elizabeth, N.J. 07206 as the Redeveloper of these parcels consistent with Bank Street and New Point Road Redevelopment Plan, 30-34 Bank Street (Block 7, Lot 48) and 731-735 New Point Road (Block 7, Lot 562) and authorized the proper City Officials to negotiate a Redevelopment Agreement; and

WHEREAS, a copy of the proposed Redevelopment Agreement is on file in the Office of the City Clerk; now, therefore,

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

SECTION 1. - That the proper City Officials are authorized to execute a Redevelopment Agreement in a form substantially as the one on file in the office of the City Clerk with MREH (Magill Real Estate Holdings) New Point, LLC, for the transfer of 30-34 Bank Street (Block 7, Lot 48) and New Point Road (Block 7, Lot 562).

SECTION 2. – The Redevelopment Agreement shall require the construction of 12 affordable units for residents making up to 60% AMI on each of the parcels being sold for a total of 24 affordable housing units.

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 25, 2020.
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 2, 2020.
The ordinance was then adopted on its final passage by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez,
Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.

NEW BUSINESS

Councilman Gallman MOVED for a suspension of the rules for the purpose of considering a resolution which did not appear on the agenda, seconded by Councilman Mazza.
Which was carried unanimously.

ORDINANCE NO. 5316

AN ORDINANCE TO TERMINATE THE LEASE AGREEMENT OF THE HISTORIC MIDTOWN TRAIN STATION, BETWEEN THE CITY OF ELIZABETH AND MINUTEMAN GRILL, LLC.

The Clerk read the foregoing ordinance.
The ordinance was then adopted on its first reading by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez,
Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.

President Kiniery announced that public notice will be published fixing Tuesday evening March 24, 2020 at 7:30 P.M., City Council Chamber, City Hall, Elizabeth, N.J. as the time and place that City Council will conduct public hearings and further consider foregoing Ordinance Nos. 5316 adopted on first reading.
The regular order of business was then resumed.

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 $750,000 for the Housing Opportunities for Persons with AIDS (HOPWA) Grant awarded by the U.S. Department of Housing and Urban Development (HUD) via the City of Newark Department of Health and Human Services and wishes to amend its FY2020 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 2020 in the total sum of $750,000 which is now available as a revenue from:

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

U.S. Department of Housing and Urban Development (HUD)
HOPWA Grant 2020 $750,000

BE IT FURTHER RESOLVED, that a like sum of $750,000 be and the same is hereby appropriated under the caption of:

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

U.S. Department of Housing and Urban Development (HUD)
HOPWA Grant 2020
Other Expenses $750,000

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, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Division of Local Government Services in compliance with the SFY 2016 Appropriations Act (P.L. 2015, c.63) requires that the Honorable City Council approve all payments related to accumulated/uncompensated absence benefits; and

WHEREAS, at March 1, 2020, the following employees are entitled to the payment of accumulated/uncompensated absence benefits;

- John Brennan: $101,319.92
- Andrew Sandoukas: $124,031.35

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elizabeth hereby approves the payments for accumulated/uncompensated absence benefits to the following employees;

- John Brennan: $101,319.92
- Andrew Sandoukas: $124,031.35

; and

FURTHER RESOLVED, that a certified copy of this resolution be recorded in full upon the minutes of City Council.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Division of Local Government Services in compliance with the SFY 2016 Appropriations Act (P.L. 2015, c.63) requires that the Honorable City Council approve all payments related to accumulated/uncompensated absence benefits; and

WHEREAS, at February 1, 2020, the following employees are entitled to the payment of accumulated/uncompensated absence benefits:

John Posso $14,119.22

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elizabeth hereby approves the payments for accumulated/uncompensated absence benefits to the following employees:

John Posso $14,119.22

; and

FURTHER RESOLVED, that a certified copy of this resolution be recorded in full upon the minutes of City Council.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to accept and execute all appropriate documents for a Sub Grant Agreement with the County of Union, New Jersey, 10 Elizabethtown Plaza, Elizabeth, New Jersey 07207 for The Department of State 2020 Complete Count Commission County Grants Program for an amount not to exceed $80,000.00, from February 1, 2020, through June 30, 2020; and

WHEREAS, the Department of State 2020 Complete Count Commission County Grants Program is designed to encourage a full participation in the decennial 2020 Census of hard to count populations such as African Americans, Latinos, Asians, Non-native English speakers, indigent, homeless persons, college students, children under five years of age, men ages 18-49, the elderly, persons displaced by natural disasters, persons who are incarcerated and members of the LGBTQ community. In addition, the Grant Funds will be used to educate the public that participating in the Census is a matter of civic responsibility and to undertake activities directly to assist in supporting and coordinating Census activities by municipalities and local nonprofits and related Local Complete Count Committees with close ties to hard to count communities; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth authorizes the proper City Officials to accept and execute all appropriate documents for a Sub Grant Agreement with the County of Union, New Jersey, 10 Elizabethtown Plaza, Elizabeth, New Jersey 07207 for The Department of State 2020 Complete Count Commission County Grants Program for an amount not to exceed $80,000.00, from February 1, 2020, through June 30, 2020.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

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, the award of a contract to POWER PLACE, INC., 297 Route 22 East, Whitehouse Station, NJ 08889 for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020, through February 16, 2021, at a cost not to exceed $100,000.00 under State Contract #43039; and

WHEREAS, the contract in question is considered to be an Open-end Contract pursuant to N.J.A.C. 5:30-11.10, as promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is in accordance with the N.J.A.C. 5:34, et seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; 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 POWER PLACE, INC., 297 Route 22 East, Whitehouse Station, NJ 08889 for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020, through February 16, 2021, at a cost not to exceed $100,000.00 under State Contract #43039.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

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, the award of a contract to CHERRY VALLEY TRACTOR SALES, 35 Route 70 West, Marlton, NJ 08053 for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020, through February 16, 2021, at a cost not to exceed $100,000.00 under State Contract #43022; and

WHEREAS, the contract in question is considered to be an Open-end Contract pursuant to N.J.A.C. 5:30-11.10, as promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is in accordance with the N.J.A.C. 5:34, et seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; 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 CHERRY VALLEY TRACTOR SALES, 35 Route 70 West, Marlton, NJ 08053 for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020, through February 16, 2021, at a cost not to exceed $100,000.00 under State Contract #43022.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent have recommended the award of a contract to STORR TRACTOR CO., 3191 US Highway 22, Branchburg, New Jersey 08876 for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020, through February 16, 2021, at a cost not to exceed $100,000.00 under State Contract #43038; and

WHEREAS, the contract in question is considered to be an Open-end Contract pursuant to N.J.A.C. 5:30-11.10, as promulgated by the State New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is in accordance with the N.J.A.C. 5:34, et seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; 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 STORR TRACTOR CO., 3191 US Highway 22, Branchburg, NJ 08876 for the purchase of parts and repairs for lawn and grounds equipment for various departments for the period of February 16, 2020, through February 16, 2021, at a cost not to exceed $100,000.00 under State Contract #43038.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, On February 11, 2020, City Council adopted a resolution awarding a contract to Emergency Accessories & Installations, 770 Cuthbert Blvd., Cherry Hill, NJ 08002 for the purchase of vehicle electronics and equipment for the Police Department for the period of January 27, 2020, through March 15, 2020, at a cost not to exceed $325,000.00 under State Contracts # 17-FLEET-00761 and # 17-FLEET-00719; and

WHEREAS, Business Administrator has advised that the Police Department requires additional equipment at a cost of $15,000.00, for a new total amount of $340,000.00; and

WHEREAS, the contracts in question are considered to be an Open-end Contract pursuant to N.J.A.C. 5:30-11.10, 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 amends the resolution dated February 11, 2020, for the purchase of additional equipment at a cost of $15,000.00, for a new total amount of $340,000.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Augustle, Gonzalez
Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and Purchasing Agent concurs and recommends, per the request of the Director of the Police Department, the award of a contract to JOHNSTON COMMUNICATIONS VOICE AND DATA, 322 Belleville Turnpike, North Arlington, New Jersey 07031 for the purchase of cameras, radios, antennas and other accessories for various departments for the period of February 1, 2020, through January 31, 2021, at a cost not to exceed $200,000.00 under State Contract #80802; and

WHEREAS, the contract in question is considered to be an Open-end Contract pursuant to N.J.A.C. 5:30-11.10, as promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is in accordance with the N.J.A.C. 5:34, et seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; 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 JOHNSTON COMMUNICATIONS VOICE AND DATA, 322 Belleville Turnpike, North Arlington, New Jersey 07033 for the purchase of cameras, radios, antennas and other accessories for various departments for the period of February 1, 2020, through January 31, 2021, at a cost not to exceed $200,000.00 under State Contract #80802.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gailman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent concur with the Director of Public Works, and recommend the award of a contract to Buywise Auto Parts, 2087-2091 Springfield Avenue, Vauxhall, New Jersey 07088 for non-OEM auto parts and accessories for light duty vehicles including, but not limited to filters, brakes, gaskets, and valves, for various departments for the period of February 25, 2020, through February 25, 2021, at a cost not to exceed $200,000.00 under State Contract #85992; and

WHEREAS, the contract in question is considered to be an Open-end Contract pursuant to N.J.A.C. 5:30-11.10, as promulgated by the State New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is in accordance with the N.J.A.C. 5:34, et seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; 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 Buywise Auto Parts, 2087-2091 Springfield Avenue, Vauxhall, New Jersey 07088 for non-OEM auto parts and accessories for light duty vehicles including, but not limited to filters, brakes, gaskets, and valves, for various departments for the period of February 25, 2020, through February 25, 2021, at a cost not to exceed $200,000.00 under State Contract #85992.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gailman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator and the Purchasing Agent concur with the Director of Public Works, and recommend the award of a contract to Route 23 Auto Mall, 1301 Rt. 23 South, Butler, New Jersey 07405 for non-OEM auto parts and accessories for light duty vehicles including, but not limited to brakes, spark plugs, and filters, for various departments for the period of February 25, 2020, through February 25, 2021, at a cost not to exceed $50,000.00 under State Contract #86007; and

WHEREAS, the contract in question is considered to be an Open-end Contract pursuant to N.J.A.C. 5:30-11.10, as promulgated by the State New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Business Administrator and the Purchasing Agent have advised that the contract in question is in accordance with the N.J.A.C. 5:34, et seq., which requires that the award of any contract pursuant to N.J.S.A. 40A:11-12 be awarded by resolution of the Governing Body; 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 Route 23 Auto Mall, 1301 Rt. 23 South, Butler, New Jersey 07405 for non-OEM auto parts and accessories for light duty vehicles including, but not limited to brakes, spark plugs, and filters, for various departments for the period of February 25, 2020, through February 25, 2021, at a cost not to exceed $50,000.00 under State Contract #86007.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez
Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.

22
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Business Administrator has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for a Risk Communication Campaign for Coastal New Jersey: Community-Based Art Grant Program New Jersey Department of Environmental Protection - Bureau of Climate Resilience Planning, at a cost not to exceed $10,000.00; and

WHEREAS, the solicitation for this opportunity is seeking up to five community-based organizations, which will be paired with one artist to address the need to involve and inform the public about the coastal hazard impacts they will face, as well as what actions can be taken to reduce their risk. This grant reinforces the necessity to help individuals "... understand, through compelling and clear messaging; what can be done so they feel empowered to take action..." According to the Program Support Application, "coastal hazards are limited to flooding caused by a number of coastal conditions such as increasing sea levels, coastal storms such as nor'easters and hurricanes, high-tide flooding when no storm is present;" and

WHEREAS, the goals of this opportunity are to increase public awareness, apply innovative approaches and improve the resiliency of coastal communities. This will be achieved through the "collaboration with artists, who specialize in environmental topics, to create art installations in specific locations within New Jersey. Artists will work with community-based organizations to develop artistic installations and will culminate in a community event. The intent of the Grant Program is to engage communities around the development and display of artwork to provide an innovative approach to more effectively communicate the risks of flooding due to sea-level rise and coastal storms;" and

WHEREAS, with this anticipated funding, the City of Elizabeth will work with local artists to create an artistic mural, which highlights our environmental points of interests and supports our Go Green initiatives. In addition to increasing outreach through artistic expression, showcasing the talent of our residents and celebrating our municipality, the City will also work with local organizations to bring this project to fruition. This proposed artistic project will transform underutilized spaces into inviting points of interest, increasing opportunities and further engaging our community; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth authorizes the proper City Officials to apply, accept and sign all appropriate documents for a Risk Communication Campaign for Coastal New Jersey: Community-Based Art Grant Program New Jersey Department of Environmental Protection - Bureau of Climate Resilience Planning, at a cost not to exceed $10,000.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
WHEREAS, the Business Administrator has requested authorization to award a contract to American Bankers Insurance Company of Florida, 11222 Quail Roost Dr., Miami, Florida 33157, (through agent-of-record, Otterstedt Insurance Agency, 540 Sylvan Avenue, Englewood Cliffs, New Jersey 07632) to obtain a flood insurance policy for the Marina Shed and Office Building located at 63-99 Front Street and the Pump Station located at 519 Trenton Avenue, Elizabeth, New Jersey for the period April 22, 2020, through April 22, 2021, at a premium of $4,161.00, as required by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the aforementioned policy covers $350,000.00 building coverage with a $1,250.00 deductible; 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, this 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. 20-06636, charging the amount of $4,161.00 to Account No. 0-01-23-210-INS of the Municipal Budget is on file in the Office of the City Clerk; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to enter an agreement with American Bankers Insurance Company of Florida, 11222 Quail Roost Dr., Miami, Florida 33157, (through agent-of-record, Otterstedt Insurance Agency, 540 Sylvan Avenue, Englewood Cliffs, N.J. 07632) to obtain a flood insurance policy for the Marina Shed and Office Building located at 63-99 Front Street and the Pump Station located at 519 Trenton Avenue, Elizabeth, New Jersey for the period April 22, 2020, to April 22, 2021, at a premium of $4,161.00.

2. Insurance is specialized in nature inasmuch as the companies issuing same are limited in number and must be approved by the State of New Jersey, through the Department of Insurance and Banking, in order to qualify to do business within this State. New Jersey Statute 40A:11-5 (1)(m) exempts the purchasing of insurance coverage from advertising for bids and bidding, which exception shall be in accordance with the requirements for Extraordinary, Unspecifiable Service in accordance with the requirements thereof.

3. This cannot be described by written specifications because of the unique nature of the service to be rendered as more fully explained in paragraph (2) above.

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

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiirey – 6.

NEGATIVE: None.
RESOLUTION OF THE CITY OF ELIZABETH PROVIDING FOR A SINGLE AND COMBINED ISSUE OF GENERAL IMPROVEMENT BONDS AND A SINGLE AND COMBINED ISSUE OF SEWER UTILITY BONDS; AUTHORIZING THE SALE OF UP TO $8,000,000 PRINCIPAL AMOUNT OF GENERAL IMPROVEMENT BONDS, SERIES 2020 AND UP TO $10,000,000 PRINCIPAL AMOUNT OF SEWER UTILITY BONDS, SERIES 2020; AUTHORIZING ADVERTISEMENT OF A NOTICE OF SALE; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO SELL AND AWARD THE BONDS; DETERMINING THE FORM AND OTHER DETAILS OF THE BONDS; AND AUTHORIZING OTHER MATTERS RELATING THERETO

WHEREAS, the City of Elizabeth, in the County of Union, New Jersey (the "City"), has adopted the Bond Ordinances listed on the attached Appendix A-1 and Appendix A-2 (collectively, the "Bond Ordinances") authorizing the issuance of obligations of the City for the purpose of financing the various general capital and sewer utility projects described in the Bond Ordinances; and

WHEREAS, the City Council has determined to finance permanently a portion of the costs of (a) the general capital projects by the issuance of up to $8,000,000 principal amount of general improvement bonds pursuant to the Bond Ordinances listed in Appendix A-1 and (b) the sewer utility projects by the issuance of up to $10,000,000 principal amount of sewer utility bonds pursuant to the Bond Ordinance listed in Appendix A-2; and

WHEREAS, the City Council has determined to proceed with the public sale of said bonds for the purposes authorized in the Bond Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth, in the County of Union, New Jersey (not less than a majority of the full membership of the City Council affirmatively concurring), as follows:

Section 1. (a) Combination of General Improvement Bonds; Authorization of Sale. The principal amount of general improvement bonds authorized to be issued pursuant to the respective Bond Ordinances described in Appendix A-1 hereto are hereby combined into a single and combined issue, and up to $8,000,000 aggregate principal amount of general obligation bonds, designated as "General Improvement Bonds, Series 2020" (the "General Improvement Bonds"), are authorized to be sold in accordance with the terms of this Resolution.

The average period of usefulness for the general capital projects financed by the General Improvement Bonds, taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to the Bond Ordinances described in Appendix A-1 hereto and the period or average period of usefulness determined in the Bond Ordinances described in Appendix A-1 hereto, is 10.84 years.

(b) Combination of Sewer Utility Bonds; Authorization of Sale. The principal amount of sewer utility bonds authorized to be issued pursuant to the respective Bond Ordinances described in 26512378v1
Appendix A-2 hereto are hereby combined into a single and combined issue, and up to $10,000,000 aggregate principal amount of general obligation bonds, designated as "Sewer Utility Bonds, Series 2020" (the "Sewer Utility Bonds" and, collectively with the General Improvement Bonds, the "Bonds"), are authorized to be sold in accordance with the terms of this Resolution.

The average period of usefulness for the sewer utility projects financed by the Sewer Utility Bonds, taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to the Bond Ordinances described in Appendix A-2 hereto and the period or average period of usefulness determined in the Bond Ordinances described in Appendix A-2 hereto, is 15.00 years.

Section 2. Public Sale of Bonds. The Bonds shall be issued and sold at public sale in accordance with the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented.

Section 3. Details of Bonds. The Bonds shall be dated their date of delivery, shall be in book-entry only form, shall bear interest from their date, payable semi-annually on October 1 and April 1 of each year, commencing October 1, 2020, at the rate or rates to be specified by the successful bidder, and shall mature, subject to prior redemption, on April 1 in the annual principal amounts (subject to adjustment as provided herein) and years as set forth below:

**GENERAL IMPROVEMENT BONDS, SERIES 2020**

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$635,000</td>
</tr>
<tr>
<td>2022</td>
<td>670,000</td>
</tr>
<tr>
<td>2023</td>
<td>700,000</td>
</tr>
<tr>
<td>2024</td>
<td>735,000</td>
</tr>
<tr>
<td>2025</td>
<td>775,000</td>
</tr>
<tr>
<td>2026</td>
<td>810,000</td>
</tr>
</tbody>
</table>

**TOTAL** $8,000,000

**SEWER UTILITY BONDS, SERIES 2020**

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$465,000</td>
</tr>
<tr>
<td>2022</td>
<td>485,000</td>
</tr>
<tr>
<td>2023</td>
<td>510,000</td>
</tr>
<tr>
<td>2024</td>
<td>535,000</td>
</tr>
<tr>
<td>2025</td>
<td>565,000</td>
</tr>
<tr>
<td>2026</td>
<td>590,000</td>
</tr>
<tr>
<td>2027</td>
<td>620,000</td>
</tr>
<tr>
<td>2028</td>
<td>650,000</td>
</tr>
</tbody>
</table>

**TOTAL** $10,000,000

The Bonds shall contain such other terms and conditions as are specified in the Notice of Sale approved in Section 5 hereof (the "Notice of Sale").
Section 4. Redemption. (A) The Bonds of each series maturing on or before April 1, 2028, are not subject to redemption prior to maturity.

(B) The Bonds of each series maturing on or after April 1, 2029, are subject to redemption prior to maturity at the option of the City, as a whole or in part on any date on or after April 1, 2028, and if in part such maturity or maturities, or portions thereof, as decided by the City shall be redeemed, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of $5,000 or any integral multiple of $1,000 in excess thereof. If less than all of the Bonds of any series of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by The Depository Trust Company (or any successor thereto) or, if the Bonds are subsequently registered in the names of the beneficial owners thereof, by the Paying Agent.

When any Bonds are to be redeemed, the Chief Financial Officer (or, if appointed pursuant to Section 12 hereof, the Paying Agent) shall give notice of the redemption of the Bonds by mailing such notice by first class mail in a sealed envelope postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed, at their respective addresses as they last appear on the registration books of the City, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the City shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

Section 5. Approval of Notice of Sale. The Notice of Sale, containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached to this Resolution as Appendix B and made a part hereof, is hereby approved.

Section 6. Approval of Summary Notice of Sale. The Summary Notice of Sale shall be substantially in the form attached to this Resolution as Appendix C and made a part hereof, and the Summary Notice of Sale is hereby approved.

Section 7. Publication of Notice of Sale. The Notice of Sale substantially in the form attached to this Resolution shall be published at least once in the Union County Local Source, a newspaper published in the County of Union and circulating in the City, and the Summary Notice of Sale substantially in the form attached to this Resolution shall be published at least once in The Bond
Buyer, a newspaper published in the City of New York and State of New York, carrying municipal bond notices and devoted primarily to the subject of state and municipal bonds. The advertisement of said Notice of Sale and Summary Notice of Sale in each such newspaper shall be published not less than seven (7) days prior to the sale date for the Bonds.

Section 8. Designation of Chief Financial Officer to Award Bonds; Delegation Regarding Postponement of Sale; Regarding Adjustment of Maturity Schedule. Proposals for the purchase of the Bonds shall be received by the Chief Financial Officer on March 19, 2020, or on such other date as determined by the Chief Financial Officer, as shall be provided in the Notice of Sale and the Summary Notice of Sale. The City Council hereby designates the Chief Financial Officer to sell and award the Bonds in accordance with this Resolution and the Notice of Sale. The Chief Financial Officer is hereby directed to report, in writing, to the City Council at its first meeting after the sale of the Bonds as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

There is hereby delegated to the Chief Financial Officer the authority to postpone the public sale of the Bonds without re-advertisement in accordance with the provisions of the Notice of Sale. The public sale of the Bonds may not be postponed more than sixty (60) days without re-advertisement.

In accordance with N.J.S.A. 40A:2-26(g), there is hereby further delegated to the Chief Financial Officer the authority to adjust the maturity schedule for the Bonds at the times and in the amounts as provided in the Notice of Sale.

Section 9. Authorization for Official Statement. The proper City officials and advisors are hereby authorized to prepare and distribute to the prospective purchasers of the Bonds a Preliminary Official Statement and a final Official Statement containing information relating to the City, its financial condition and the terms of the Bonds and other material facts customarily included in official statements for general obligation bonds in the State of New Jersey. The Chief Financial Officer is hereby authorized to deem final the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 10. Approval of Form of Bonds. The forms of the Bonds, substantially as set forth in Appendix D-1 and D-2 attached hereto and made a part hereof, are hereby approved. The Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor and the Chief Financial Officer and the seal of the City, or a facsimile impression thereof, shall be affixed to the Bonds and attested by the manual signature of the City Clerk.

Section 11. Appointment of Securities Depository. The Depository Trust Company, New York, New York ("DTC"), shall act as securities depository for the Bonds. The ownership of one fully registered bond for each maturity of the Bonds of each series, each in the aggregate principal amount of such maturity, will be registered in the name of Cede & Co., as nominee for DTC.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the "Beneficial Owner") will not receive certificated Bonds and will not be the registered owner thereof. Ownership interests in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with
DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the City nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The appropriate officers of the City are hereby authorized to execute a Letter of Representation to DTC and such other documents as may be necessary or desirable in connection with DTC's services as securities depository.

DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, or if the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City shall designate a successor securities depository or shall deliver certificates to the beneficial owners of the Bonds registered in the names of the beneficial owners thereof.

Section 12. Paying Agent. The Chief Financial Officer is hereby authorized to select and to enter into an agreement with a Paying Agent to ensure that the City can meet its obligations undertaken herein to the holders of the Bonds. The Chief Financial Officer may, however, elect not to select a Paying Agent for the Bonds, and may elect to select a Paying Agent at any time prior or subsequent to the issuance of the Bonds. However, the Chief Financial Officer shall select a Paying Agent upon any determination to cause the Bonds to be registered in the names of the beneficial owners thereof, as provided in Section 11 hereof.

Section 13. Tax Covenant. The City hereby covenants with the holders from time to time of the Bonds that it will make no investment or other use of the proceeds of the Bonds or take any further action (or refrain from taking such action) which would cause the Bonds to be "arbitrage bonds" or "private activity bonds" within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the "Code"), or would cause interest on the Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of the Bonds.

Section 14. Pledge of City. The full faith and credit of the City is hereby pledged for the payment of the principal of and interest on the Bonds. The Bonds shall be direct obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of the principal of and interest on the Bonds without limitation as to rate or amount.

Section 15. Continuing Disclosure. The form of the Continuing Disclosure Certificate in substantially the form attached hereto as Appendix E is hereby approved, and the execution of the Continuing Disclosure Certificate by the Chief Financial Officer of the City is hereby authorized. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate executed by the City and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in
accordance with the terms thereof. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered a default on the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the City to comply with its obligations under this Section.

Section 16.  Further Action. The proper officers of the City are hereby authorized and directed to take all such action as may be necessary to affect the issuance and delivery of the Bonds.

Section 17.  Effective Date. This Resolution shall take effect immediately upon the adoption hereof.

Adopted: March 10, 2020

APPENDIX A-1

GENERAL IMPROVEMENT BONDS, SERIES 2020

<table>
<thead>
<tr>
<th>Ordinance Number</th>
<th>Date Adopted</th>
<th>Amount of Bonds Authorized</th>
<th>Period of Usefulness (Years)</th>
<th>General Obligation bonds to be Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>5135</td>
<td>03/12/19</td>
<td>$6,650,000</td>
<td>10</td>
<td>$6,650,000</td>
</tr>
<tr>
<td>5137</td>
<td>03/12/19</td>
<td>2,612,500</td>
<td>15</td>
<td>1,350,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$8,000,000</strong></td>
</tr>
</tbody>
</table>

APPENDIX A-2

SEWER UTILITY BONDS, SERIES 2020

<table>
<thead>
<tr>
<th>Ordinance Number</th>
<th>Date Adopted</th>
<th>Amount of Bonds Authorized</th>
<th>Period of Usefulness (Years)</th>
<th>General Obligation bonds to be Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>4936</td>
<td>11/13/17</td>
<td>$12,000,000</td>
<td>15</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>5273</td>
<td>12/10/19</td>
<td>12,000,000</td>
<td>15</td>
<td>8,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$10,000,000</strong></td>
</tr>
</tbody>
</table>
APPENDIX B

NOTICE OF SALE
CITY OF ELIZABETH, COUNTY OF UNION, NEW JERSEY

$18,000,000* GENERAL OBLIGATION BONDS, SERIES 2020
CONSISTING OF:
$8,000,000* GENERAL IMPROVEMENT BONDS
AND
$10,000,000* SEWER UTILITY BONDS
(Book-Entry-Only) (Callable)

The CITY OF ELIZABETH, a municipal corporation of the State of New Jersey located in the County of Union, New Jersey (the "City"), hereby invites sealed or electronic proposals for the purchase of the City’s $18,000,000* aggregate principal amount of General Obligation Bonds, Series 2020, consisting of: $8,000,000* principal amount of General Improvement Bonds and $10,000,000* principal amount of Sewer Utility Bonds (the "Bonds").

SEALED OR ELECTRONIC (VIA PARITY) PROPOSALS will be received by the Chief Financial Officer of the City at City Hall, 50 Winfield Scott Plaza, Elizabeth, New Jersey 07201-2462, on March 19, 2020 (the "Bid Date") until 11:30 a.m., prevailing local time, at which time they will be publicly opened and announced. The Bonds will be dated their date of delivery and will mature, subject to prior redemption, on April 1, in the years and, subject to adjustment as provided herein, in the amounts set forth below:

<table>
<thead>
<tr>
<th>Year</th>
<th>General Improvement Bonds*</th>
<th>Sewer Utility Bonds*</th>
<th>Combined Bond Total*</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$635,000</td>
<td>$465,000</td>
<td>$1,100,000</td>
</tr>
<tr>
<td>2022</td>
<td>670,000</td>
<td>485,000</td>
<td>1,155,000</td>
</tr>
<tr>
<td>2023</td>
<td>700,000</td>
<td>510,000</td>
<td>1,210,000</td>
</tr>
<tr>
<td>2024</td>
<td>735,000</td>
<td>535,000</td>
<td>1,270,000</td>
</tr>
<tr>
<td>2025</td>
<td>775,000</td>
<td>565,000</td>
<td>1,340,000</td>
</tr>
<tr>
<td>2026</td>
<td>810,000</td>
<td>590,000</td>
<td>1,400,000</td>
</tr>
<tr>
<td>2027</td>
<td>855,000</td>
<td>620,000</td>
<td>1,475,000</td>
</tr>
<tr>
<td>2028</td>
<td>895,000</td>
<td>650,000</td>
<td>1,545,000</td>
</tr>
<tr>
<td>2029</td>
<td>940,000</td>
<td>685,000</td>
<td>1,625,000</td>
</tr>
<tr>
<td>2030</td>
<td>985,000</td>
<td>720,000</td>
<td>1,705,000</td>
</tr>
<tr>
<td>2031</td>
<td>755,000</td>
<td></td>
<td>755,000</td>
</tr>
<tr>
<td>2032</td>
<td>795,000</td>
<td></td>
<td>795,000</td>
</tr>
<tr>
<td>2033</td>
<td>830,000</td>
<td></td>
<td>830,000</td>
</tr>
<tr>
<td>2034</td>
<td>875,000</td>
<td></td>
<td>875,000</td>
</tr>
<tr>
<td>2035</td>
<td>920,000</td>
<td></td>
<td>920,000</td>
</tr>
</tbody>
</table>

*Preliminary, subject to change as described herein.

All bidders for the Bonds must be participants of The Depository Trust Company, New York, New York ("DTC") or affiliated with its participants. The Bonds will be issued in the form of one
certificate for each maturity of each series of the Bonds each in the aggregate principal amount of such maturity and will be payable as to both principal and interest in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of DTC, which will act as Securities Depository. The certificates will be deposited with DTC which will be responsible for maintaining a book-entry system for recording the interests of its participants and the transfers of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of the individual purchases. Individual purchases may be made in the principal amount of $5,000 or any integral multiple of $1,000 in excess thereof through book entries made on the books and records of DTC and its participants.

The Bonds will be dated their date of delivery and will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance herewith, payable semi-annually on October 1 and April 1 of each year, commencing October 1, 2020, until maturity or earlier redemption, to DTC or its authorized nominee. The DTC will credit payments of principal and interest on the Bonds to the participants of DTC as listed on the records of DTC.

In the event (a) DTC determines not to continue to act as Securities Depository for the Bonds or (b) the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will deliver replacement bonds in the form of fully registered certificates.

The Bonds are general obligations of the City and are secured by a pledge of the full faith and credit of the City for the payment of the principal thereof and the interest thereon. The Bonds are payable, if not paid from other sources, from ad valorem taxes to be levied upon all the real property taxable within the City without limitations as to rate or amount.

The Bonds maturing on or before April 1, 2028, are not subject to redemption prior to maturity. The Bonds of each series maturing on or after April 1, 2029, are subject to redemption prior to maturity at the option of the City, as a whole or in part on any date on or after April 1, 2028, and if in part such maturity or maturities as decided by the City shall be redeemed, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Each proposal submitted must name the rates or rates of interest per annum to be borne by the Bonds and the rate or rates named must be multiples of one-eighth or one-twentieth of one per centum. Not more than one rate may be named for the bonds of the same maturity. There is no limitation on the number of rates that may be named. The difference between the lowest and the highest rates named in the proposal shall not exceed three per centum (3%). The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost ("TIC"). Such TIC cost shall be computed by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the bonds and to the price bid, excluding interest accrued to the delivery date. Each proposal submitted must be for all the Bonds and the purchase price specified in the proposal must not be less than $18,000,000 nor more than $19,620,000. No proposal shall be considered that offers to pay an amount less than the
principal amount of the Bonds offered for sale or under which the total loan is made at a TIC higher than the lowest TIC to the City under any legally acceptable proposal, and if two or more bidders offer to pay the lowest TIC, then the Bonds will be sold to one of such bidders selected by lot from among all such bidders. The purchaser must also pay an amount equal to the interest (if any) on the Bonds accrued to the date of payment of the purchase price. The right is reserved to reject all bids and to reject any bid not complying with this Notice.

It is requested that each proposal be accompanied by a computation of the TIC to the City under the terms of the proposal in accordance with the method of calculation described in the preceding paragraph (computed to six decimal places), but such computation is not to be considered as part of the proposal for Bonds. Determinations of TIC by the City shall be final.

The City may and expects to, after the receipt and opening of bids, adjust the maturity schedule of the Bonds, provided however, that (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of Bonds as specified herein and the aggregate principal amount of Bonds as adjusted will not exceed $18,000,000. The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of the Bonds to be issued. Immediately upon being notified that it is the successful bidder, the successful bidder shall provide to the City’s municipal advisor and bond counsel the initial offering prices of the Bonds to the public. Upon receipt of the initial offering prices of the Bonds to the public from the successful bidder, the bid price will be adjusted to reflect changes in the dollar amount of the underwriter’s discount and the original issue premium, but will not change the per bond underwriter’s discount as calculated from the bid and the initial offering prices of the Bonds to the public. The City shall notify the successful bidder of the final maturity schedule and the resulting adjusted purchase price no later than 5:00 p.m., New Jersey time, on the day of the sale and award the Bonds. The interest rate or rates specified by the successful bidder for each maturity will not be altered.

Except as provided herein under the caption “Procedures Regarding Electronic Bidding,” each proposal must be enclosed in a sealed envelope, marked on the outside “Proposal for City G.O. Bonds” and, if mailed, addressed to or in care of the undersigned at 50 Winfield Scott Plaza, Elizabeth, New Jersey 07201-2462. All bids which are submitted electronically via the PARITY Electronic Bid Submission System ("PARITY") of i-Deal LLC ("i-Deal") pursuant to the procedures described below shall be deemed to constitute a “Proposal for Bonds” and shall be deemed to incorporate by reference all of the terms and conditions of this Notice of Sale. The submission of a bid electronically via PARITY shall constitute and be deemed the bidder’s signature on the Proposal for Bonds.

PROCEDURES REGARDING ELECTRONIC BIDDING. Bids may be submitted electronically via PARITY in accordance with this notice, until 11:30 a.m., New Jersey time, on the Bid Date, but no bid will be accepted after the time for receiving bids specified above. In addition, bidders must ensure that the good faith deposit wire, check or financial surety bond referred to herein is submitted on the Bid Date by 11:30 a.m. To the extent any instructions or directions set forth in PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact PARITY at i-Deal at 1359 Broadway, 2nd Floor, New York, NY 10010, telephone (212) 849-5021. The City may, but is not obligated to,
acknowledge its acceptance in writing of any bid submitted electronically via PARITY. In the event that a bid for the Bonds is submitted via PARITY, the bidder further agrees that:

1. The City may regard the electronic transmission of the bid through PARITY (including information about the principal amount of the Bonds, the price bid for the Bonds and any other information included in such transmission) as though the same information were submitted on the “Proposal for Bonds” provided by the City and executed by a duly authorized signatory of the bidder. If a bid submitted electronically by PARITY is accepted by the City, the terms of the “Proposal for Bonds” and this Notice of Sale and the information that is electronically transmitted through PARITY shall form a contract, and the Successful Bidder or Bidders shall be bound by the terms of such contract.

2. PARITY is not an agent of the City, and the City shall have no liability whatsoever based on any bidder’s use of PARITY, including but not limited to any failure by PARITY to correctly or timely transmit information provided by the City or information provided by the bidder.

3. The City may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m., New Jersey time, on the last business date prior to the Bid Date.

4. Once the bids are communicated electronically via PARITY to the City as described above, each bid will constitute a Proposal for Bonds and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all Proposals for Bonds, whether by hand delivery or electronically via PARITY, the time as maintained on PARITY shall constitute the official time.

5. Each Bidder shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the City nor i-Deal shall have any duty or obligation to provide or assure access to any bidder, and neither the City nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by PARITY. The City is using PARITY as a communication mechanism, and not as the City’s agent, to conduct the electronic bidding for the Bonds. By using PARITY, each bidder agrees to hold the City harmless from any harm or damages caused to such bidder in connection with its use of PARITY for bidding on Bonds.

The right is reserved to reject all bids and any bid not complying with the terms of this notice may be rejected.

Each bidder is required to make a good faith deposit ("Deposit") in the form of a cash wire, a certified, cashier’s or treasurer’s check or a financial surety bond ("Financial Surety Bond") in the amount of $360,000, payable to the City of Elizabeth. If a cash wire is used, the wire must be received by the City no later than 11:30 A.M. on March 19, 2020. If a cash wire is utilized, each bidder must notify the City of its intent to use such cash wire prior to 11:00 A.M. and must provide proof of electronic transfer of such cash wire prior to 11:30 A.M., on March 19, 2020. Wiring instructions for the City can be obtained by contacting the City’s municipal advisor, at jehlers@nwfinancial.com or (201) 656-0115. If a check is used, the check must be a certified or
cashier's or treasurer's check drawn upon a bank or trust company and must be delivered to the City by no later than 11:30 A.M. on March 19, 2020. Each bidder accepts responsibility for delivering such cash wire or check on time and the City is not responsible for any cash wire or check that is not received on time. If a Financial Surety Bond is used, the same must be from an insurance company licensed to issue such a bond in the State of New Jersey and approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs and proof of such bond must be submitted to the City no later than 5:00 P.M. on March 18, 2020, by email to szengarci@elizabethnj.org and wmsayer@decottislaw.com. Use of any other Financial Surety Bond must be approved by the Director prior to the bid and will not be accepted by the City unless evidence of such approval is provided prior to the bid. The Financial Surety Bond must identify the bidder whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to a bidder utilizing a Financial Surety Bond, then that winning bidder shall be required to submit its Deposit to the City by wire transfer as instructed by the City not later than 3:30 P.M. on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the City to satisfy the Deposit requirement. When the successful bidder has been ascertained, all such Deposits shall be promptly returned to the persons making the same, except the cash wire, check or Financial Surety Bond of the successful bidder which shall be applied as partial payment for the Bonds or to secure the City from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder or rejection of all bids is expected to be made promptly after opening of the bids. The successful bidder may withdraw its proposal after 5:30 P.M. on the day of such bid opening, but only if such award has not been made prior to the withdrawal.

The Bonds will be delivered through DTC on April 2, 2020, or such other date agreed to by the City and the successful bidder. PAYMENT FOR THE BONDS AT THE TIME OF THE CLOSING SHALL BE IN IMMEDIATELY AVAILABLE FEDERAL FUNDS.

The successful bidder may at its option refuse to accept the Bonds if prior to their delivery any income tax law of the United States of America shall provide that the interest thereon is includable in gross income for Federal income purposes, or shall be included at a future date for Federal income tax purposes, and in such case the deposit made by the bidder will be returned and the bidder will be relieved of the bidder's contractual obligations arising from the acceptance of the bidder's proposal.

If the Bonds qualify for issuance of any policy of municipal bond insurance, the purchaser of the Bonds may, at its sole option and expense, purchase such insurance. Any failure of the Bonds to be so insured shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.
The obligation hereunder to deliver and accept the Bonds shall be conditioned on the availability and the delivery at the time of delivery of the Bonds of: (a) the approving opinion of the law firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP, Paramus, New Jersey, Bond Counsel, which will be furnished without cost to the successful bidder, substantially to the effect set forth in the Preliminary Official Statement referred to below; (b) certificates in form satisfactory to said law firm evidencing the proper execution and delivery of the Bonds and receipt of payment therefor, and compliance with the requirements of the Internal Revenue Code of 1986, as amended, necessary to preserve the tax exemption; (c) a certificate, in form and tenor satisfactory to said law firm and dated as of the date of such delivery, to the effect that there is no litigation pending or, to the knowledge of the signer or signers thereof, threatened affecting the validity of the Bonds; and (d) the City’s Continuing Disclosure Certificate substantially in the form described in the Preliminary Official Statement.

A Preliminary Official Statement has been prepared and may be obtained via i-Deal at www.i-dealprospectus.com or from the City’s municipal advisor. The Preliminary Official Statement is deemed to be a “final official statement,” as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission but is subject to (a) completion with certain pricing and other information to be made available by the successful bidder for the Bonds and (b) amendment. The Preliminary Official Statement as so revised will constitute the “final official statement.” By the submission of a bid for the Bonds, the successful bidder contracts for the receipt of a reasonable number of copies of the final Official Statement within seven business days of the award of the Bonds. In order to complete the final Official Statement, the successful bidder must furnish on behalf of the underwriter(s) of the Bonds the following information to Bond Counsel and the City by facsimile transmission or overnight delivery received by Bond Counsel and the City within 24 hours after the award of the Bonds: (a) initial offering prices or yields (expressed as percentages), (b) selling compensation (aggregate total, anticipated compensation to the underwriter(s) expressed in dollars), (c) the identity of the underwriters if the successful bidder is part of a group or syndicate, and (d) any other material information necessary for the final Official Statement, but not known to the City (such as the bidder’s purchase of insurance or other credit enhancement). It shall also be the obligation of the successful bidder to furnish to DTC an underwriter’s questionnaire and the denominations of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

In order to assist bidders in complying with SEC Rule 15c2-12(b)(5), the City will undertake, pursuant to a Continuing Disclosure Certificate, to provide certain annual information and notices of the occurrence of certain events. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Establishment of Issue Price (10% Test to Apply if Competitive Sale Requirements are Not Satisfied)

(a) The winning bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at Closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Schedule A, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the City and Bond Counsel. All actions to be taken by

36
the City under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the City by the City's Bond Counsel identified herein and any notice or report to be provided to the City may be provided to the City's Bond Counsel.

(b) The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

(1) the City shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

(2) all bidders shall have an equal opportunity to bid;

(3) the City may receive bids from at least three (3) underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(4) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the lowest interest cost, as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

(c) In the event that the competitive sale requirements are not satisfied, the City shall so advise the winning bidder. The City shall treat the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis. The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The City will not require bidders to comply with the "hold-the-offering-price rule" and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity in the event that the competitive sale requirements are not satisfied. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds.

(d) If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the Closing date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that maturity, provided that the winning bidder’s reporting obligation after the Closing date may be at reasonable periodic intervals or otherwise upon request of the City or bond counsel.

(e) By submitting a bid, each bidder confirms that:

(i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the
public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable:

(A) to report the prices at which it sells to the public the unsold Bonds allocated to it, whether or not the Closing date has occurred, until either all Bonds allocated to it have been sold or it is notified by the winning bidder that the 10% test has been satisfied as to the Bonds, provided that the reporting obligation after the Closing date may be at reasonable periodic intervals or otherwise upon request of the winning bidder,

(B) to promptly notify the winning bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below), and

(C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public.

(ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing date has occurred, until either all Bonds allocated to it have been sold or it is notified by the winning bidder or such underwriter that the 10% test has been satisfied as to the Bonds, provided that the reporting obligation after the Closing date may be at reasonable periodic intervals or otherwise upon request of the winning bidder or such underwriter.

(f) Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

(i) "public" means any person other than an underwriter or a related party,

(ii) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public),

(iii) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) at least 50% common ownership of the voting power or the total value of their
stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(iv) “sale date” means the date that the Bonds are awarded by the City to the winning bidder.

The City reserves the right to postpone, from time to time, the date and time established for the receipt of bids. Any such postponement shall be published on TM3 News Service, or by other available means, not less than twenty-four (24) hours prior to the sale. If any date fixed for receipt of bids and the sale of the Bonds is postponed, an alternative sale date will be announced via TM3 News Service, or by other available means, at least forty-eight (48) hours prior to such alternative date.

A Preliminary Official Statement may be obtained via i-Deal at www.i-dealprospectus.com or from the City’s Chief Financial Officer, 50 Winfield Scott Plaza, Elizabeth, New Jersey 07201-2462 telephone (908) 820-4097, or from the Borough’s municipal advisor, NW Financial Group, LLC, 2 Hudson Place, Hoboken, NJ 07030, telephone 201-656-0115.

APPENDIX C

SUMMARY NOTICE OF SALE
CITY OF ELIZABETH, COUNTY OF UNION, NEW JERSEY

$18,000,000* GENERAL OBLIGATION BONDS, SERIES 2020
CONSISTING OF:
$8,000,000* GENERAL IMPROVEMENT BONDS
AND
$10,000,000* SEWER UTILITY BONDS
(Book-Entry-Only) (Callable)

SEALED OR ELECTRONIC (via PARITY) PROPOSALS will be received by the CITY OF ELIZABETH, New Jersey, on March 19, 2020, until 11:30 a.m., for the General Obligation Bonds, Series 2020, as set forth below:

<table>
<thead>
<tr>
<th>Year</th>
<th>General Improvement Bonds*</th>
<th>Sewer Utility Bonds*</th>
<th>Combined Bond Total*</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$635,000</td>
<td>$465,000</td>
<td>$1,100,000</td>
</tr>
<tr>
<td>2022</td>
<td>670,000</td>
<td>485,000</td>
<td>1,155,000</td>
</tr>
<tr>
<td>2023</td>
<td>700,000</td>
<td>510,000</td>
<td>1,210,000</td>
</tr>
<tr>
<td>2024</td>
<td>735,000</td>
<td>535,000</td>
<td>1,270,000</td>
</tr>
<tr>
<td>2025</td>
<td>775,000</td>
<td>565,000</td>
<td>1,340,000</td>
</tr>
<tr>
<td>2026</td>
<td>810,000</td>
<td>590,000</td>
<td>1,400,000</td>
</tr>
<tr>
<td>2027</td>
<td>855,000</td>
<td>620,000</td>
<td>1,475,000</td>
</tr>
<tr>
<td>2028</td>
<td>895,000</td>
<td>650,000</td>
<td>1,545,000</td>
</tr>
<tr>
<td>2029</td>
<td>940,000</td>
<td>685,000</td>
<td>1,625,000</td>
</tr>
<tr>
<td>2030</td>
<td>985,000</td>
<td>720,000</td>
<td>1,705,000</td>
</tr>
<tr>
<td>2031</td>
<td>755,000</td>
<td></td>
<td>755,000</td>
</tr>
<tr>
<td>2032</td>
<td>795,000</td>
<td></td>
<td>795,000</td>
</tr>
<tr>
<td>2033</td>
<td>830,000</td>
<td></td>
<td>830,000</td>
</tr>
<tr>
<td>2034</td>
<td>875,000</td>
<td></td>
<td>875,000</td>
</tr>
<tr>
<td>2035</td>
<td>920,000</td>
<td></td>
<td>920,000</td>
</tr>
</tbody>
</table>

*Preliminary, subject to change as provided in the Notice of Sale.

The Bonds will be dated their date of delivery, will mature on April 1, will be issued in book entry form through the Depository Trust Company and will bear interest payable on each April 1 and October 1, commencing October 1, 2020, at the respective rate or rates specified by the successful bidder.

The complete Notice of Sale containing additional terms and conditions and the Preliminary Official Statement may be obtained at www.i-dealprospectus.com.
APPENDIX D-1

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF UNION
CITY OF ELIZABETH

GENERAL IMPROVEMENT BOND, SERIES 2020

<table>
<thead>
<tr>
<th>No.</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTEREST RATE</td>
<td>DATED DATE</td>
</tr>
<tr>
<td>%</td>
<td>_____, 2020</td>
</tr>
</tbody>
</table>

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: ________________________________ Dollars

The CITY OF ELIZABETH, in the County of Union, a public body corporate and politic organized and existing under the laws of the State of New Jersey (the "City"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner hereof on the Maturity Date set forth above the Principal Sum set forth above, and to pay interest thereon semi-annually on October 1 and April 1 of each year, commencing October 1, 2020 (each, an "Interest Payment Date"), at the Interest Rate specified above, calculated on the basis of a 360-day year of twelve 30-day months, until the payment of the Principal Sum has been made or duly provided for. This Bond shall bear interest from the most recent Interest Payment Date to which interest has been paid, or duly provided for on the Bonds or, if no interest has been paid, from the Dated Date set forth above. The principal of this Bond is payable upon presentation and surrender hereof at the offices of the City or at such other financial institution as may be appointed by the City to act as paying agent (the "Paying Agent").

Interest on this Bond will be paid by check mailed on each Interest Payment Date to the person in whose name this Bond is registered on the registration books of the City maintained by the Paying Agent, as bond registrar, at the address appearing thereon at the close of business on the 15th day of the calendar month preceding the month in which such Interest Payment Date occurs, provided that, with respect to overdue interest or interest payable on redemption of this bond other than on an Interest Payment Date, the Paying Agent may establish a special record date. The special record date may be not more than twenty (20) days before the date set for payment. The notice setting forth the Special Record Date shall be mailed to the person in whose name this Bond is registered at the close of business on the fifth (5th) day next preceding the date of mailing of such notice. The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of a duly authorized issue of General Improvement Bonds, Series 2020, of the City in the aggregate principal amount of $___________ (the "Bonds"), all of like date and tenor,
except as to date of maturity, denomination, interest rate and CUSIP number, and all authorized and issued under and pursuant to the Local Bond Law of the State of New Jersey constituting Chapter 169 of the Laws of 1960, effective January 1, 1962, as amended, a Resolution duly adopted by the City Council on March 10, 2020 (the "Resolution"), and various Bond Ordinances enacted by the City. The Bonds are issued for the purpose of providing funds for and towards the costs of various capital improvements.

The Bonds maturing on or before April 1, 2028, are not subject to redemption prior to maturity. The Bonds maturing on or after April 1, 2029, are subject to redemption prior to maturity at the option of the City, as a whole or in part on any date on or after April 1, 2028, and if in part such maturity or maturities, or portions thereof, as decided by the City shall be redeemed, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of $5,000 or any integral multiple of $1,000 in excess thereof. If less than all of the Bonds of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by The Depository Trust Company or any successor securities depository or, if there is no securities depository, by the Paying Agent.

When any Bonds are to be redeemed, the Chief Financial Officer (or, if appointed pursuant to Section 12 of the Resolution, the Paying Agent) shall give notice of the redemption of the Bonds by mailing such notice via first class mail in a sealed envelope with postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, at their respective addresses as they last appear on the registration books of the City. Such mailing shall not be a condition precedent to such redemption, and failure to so mail or to receive any such notice to any of such registered owners shall not affect the validity of the proceedings for the redemption of the Bonds. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the City shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

This Bond is registered as to principal and interest and is transferable by the registered owner or his duly authorized attorney upon surrender hereof at the principal office of the City or, if applicable, the principal corporate trust office of any other Paying Agent, accompanied by a duly executed instrument of transfer in form satisfactory to the City or such other Paying Agent. The City and any other Paying Agent may treat the person in whose name this Bond is registered on the bond
register maintained by the City or such other Paying Agent as the absolute owner of this Bond for all purposes and neither the City nor any such other Paying Agent shall be affected by any notice to the contrary.

No recourse shall be had for the payment of the principal or interest on this Bond or for any claim based hereon, against any member, officer or employee, past, present or future, of the City or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the execution and issuance of this Bond.

It is hereby certified that all acts, conditions and things required by the laws of the State of New Jersey to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; and that this Bond, together with all other indebtedness of the City is within every debt and other limit prescribed by the constitution and the statutes of the State of New Jersey.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, a Sunday, or a day on which banking institutions in the State of New Jersey are authorized by law to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the next succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

For the prompt and full payment of the obligations of this Bond, the entire full faith and credit of the City are hereby irrevocably pledged.

This Bond shall not be valid or become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent, by execution of the Certificate endorsed hereon; provided however that for so long as the City is acting as Paying Agent there shall be no need for such authentication.
IN WITNESS WHEREOF, the City of Elizabeth, in the County of Union and State of New Jersey, has caused this Bond to be signed in its name by the manual or facsimile signatures of its Mayor and Chief Financial Officer and its corporate seal, or a facsimile thereof, to be hereunto affixed, duly attested by the manual signature of its City Clerk.

(Seal)

CITY OF ELIZABETH,
IN THE COUNTY OF UNION
AND STATE OF NEW JERSEY

Attest:

By: ____________________________
    Mayor

___________________________
City Clerk

By: ____________________________
    Chief Financial Officer

[Following to be utilized if paying agent is appointed:]

CERTIFICATE OF AUTHENTICATION

This bond is one of the General Improvement Bonds, Series 2020, of the City of Elizabeth, New Jersey described in the within named resolution.

By: ____________________________
    Authorized Signature]
APPENDIX D-2

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF UNION
CITY OF ELIZABETH

SEWER UTILITY BOND, SERIES 2020

<table>
<thead>
<tr>
<th>No.</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTEREST RATE</td>
<td>DATED DATE</td>
</tr>
<tr>
<td>%</td>
<td>_______, 2020</td>
</tr>
</tbody>
</table>

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: ____________________________ Dollars

The CITY OF ELIZABETH, in the County of Union, a public body corporate and politic organized and existing under the laws of the State of New Jersey (the "City"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner hereof on the Maturity Date set forth above the Principal Sum set forth above, and to pay interest thereon semi-annually on October 1 and April 1 of each year, commencing October 1, 2020 (each, an "Interest Payment Date"), at the Interest Rate specified above, calculated on the basis of a 360-day year of twelve 30-day months, until the payment of the Principal Sum has been made or duly provided for. This Bond shall bear interest from the most recent Interest Payment Date to which interest has been paid, or duly provided for on the Bonds or, if no interest has been paid, from the Dated Date set forth above. The principal of this Bond is payable upon presentation and surrender hereof at the offices of the City or at such other financial institution as may be appointed by the City to act as paying agent (the "Paying Agent").

Interest on this Bond will be paid by check mailed on each Interest Payment Date to the person in whose name this Bond is registered on the registration books of the City maintained by the Paying Agent, as bond registrar, at the address appearing thereon at the close of business on the 15th day of the calendar month preceding the month in which such Interest Payment Date occurs, provided that, with respect to overdue interest or interest payable on redemption of this Bond other than on an Interest Payment Date, the Paying Agent may establish a special record date. The special record date may be not more than twenty (20) days before the date set for payment. The notice setting forth the Special Record Date shall be mailed to the person in whose name this Bond is registered at the close of business on the fifth (5th) day next preceding the date of mailing of such notice. The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of a duly authorized issue of Sewer Utility Bonds, Series 2020, of the City in the aggregate principal amount of $___________ (the "Bonds"), all of like date and tenor, except as
to date of maturity, denomination, interest rate and CUSIP number, and all authorized and issued under and pursuant to the Local Bond Law of the State of New Jersey constituting Chapter 169 of the Laws of 1960, effective January 1, 1962, as amended, a Resolution duly adopted by the City Council on March 13, 2018 (the “Resolution”), and various Bond Ordinances enacted by the City. The Bonds are issued for the purpose of providing funds for and towards the costs of various sewer improvements.

The Bonds maturing on or before April 1, 2028, are not subject to redemption prior to maturity. The Bonds maturing on or after April 1, 2029, are subject to redemption prior to maturity at the option of the City, as a whole or in part on any date on or after April 1, 2028, and if in part such maturity or maturities, or portions thereof, as decided by the City shall be redeemed, at the redemption price equal to 100% of the principal amount to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of $5,000 or any integral multiple of $1,000 in excess thereof. If less than all of the Bonds of a particular maturity are to be redeemed, Bonds of that maturity shall be selected by The Depository Trust Company or any successor securities depository or, if there is no securities depository, by the Paying Agent.

When any Bonds are to be redeemed, the Chief Financial Officer (or, if appointed pursuant to Section 12 of the Resolution, the Paying Agent) shall give notice of the redemption of the Bonds by mailing such notice via first class mail in a sealed envelope with postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, at their respective addresses as they last appear on the registration books of the City. Such mailing shall not be a condition precedent to such redemption, and failure to so mail or to receive any such notice to any of such registered owners shall not affect the validity of the proceedings for the redemption of the Bonds. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the City shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

This Bond is registered as to principal and interest and is transferable by the registered owner or his duly authorized attorney upon surrender hereof at the principal office of the City or, if applicable, the principal corporate trust office of any other Paying Agent, accompanied by a duly executed instrument of transfer in form satisfactory to the City or such other Paying Agent. The City and any other Paying Agent may treat the person in whose name this Bond is registered on the bond
register maintained by the City or such other Paying Agent as the absolute owner of this Bond for all purposes and neither the City nor any such other Paying Agent shall be affected by any notice to the contrary.

No recourse shall be had for the payment of the principal of or interest on this Bond or for any claim based hereon, against any member, officer or employee, past, present or future, of the City or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the execution and issuance of this Bond.

It is hereby certified that all acts, conditions and things required by the laws of the State of New Jersey to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; and that this Bond, together with all other indebtedness of the City is within every debt and other limit prescribed by the constitution and the statutes of the State of New Jersey.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, a Sunday, or a day on which banking institutions in the State of New Jersey are authorized by law to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the next succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

For the prompt and full payment of the obligations of this Bond, the entire full faith and credit of the City are hereby irrevocably pledged.

This Bond shall not be valid or become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent, by execution of the Certificate endorsed hereon; provided however that for so long as the City is acting as Paying Agent there shall be no need for such authentication.

IN WITNESS WHEREOF, the City of Elizabeth, in the County of Union and State of New Jersey, has caused this Bond to be signed in its name by the manual or facsimile signatures of its Mayor and Chief Financial Officer and its corporate seal, or a facsimile thereof, to be heretunto affixed, duly attested by the manual signature of its City Clerk.

(Seal)

CITY OF ELIZABETH,
IN THE COUNTY OF UNION
AND STATE OF NEW JERSEY

Attest:  

By: Mayor

____________

Chief Financial Officer

City Clerk

[Following to be utilized if paying agent is appointed:]

CERTIFICATE OF AUTHENTICATION

This bond is one of the Sewer Utility Bonds, Series 2020, of the City of Elizabeth, New Jersey described in the within named resolution.

By: Authorized Signature

/\6
APPENDIX E
CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the City of Elizabeth, in the County of Union, New Jersey (the "Issuer"), in connection with the issuance by the Issuer of $__________ aggregate principal amount of General Obligation Bonds, Series 2020, consisting of $__________ principal amount of General Improvement Bonds and $__________ principal amount of Sewer Utility Bonds (the "Bonds"). The Issuer covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Bondholders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with S.E.C. Rule 15c2-12(b)(5).

Section 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Beneficial Owner" shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

"Bondholder" shall mean any person who is the registered owner of any Bond, including holders of beneficial interests in the Bonds.

"Dissemination Agent" shall mean the Issuer, or any successor Dissemination Agent designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

"EMMA" means the MSRB's Electronic Municipal Markets Access System.

"Financial Obligation" means a: (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security for or a source of payment for, an existing or planned debt obligation; or (c) guarantee of (a) or (b); provided, however that the term Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"MSRB" shall mean the Municipal Securities Rulemaking Board.
"Participating Underwriter" shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

"State" shall mean the State of New Jersey.

Section 3. Provision of Annual Reports.

(a) Not later than nine (9) months after the end of the Issuer’s fiscal year, beginning with the fiscal year ending June 30, 2020, the Issuer shall, or shall cause the Dissemination Agent to, provide to the MSRB, in an electronic format as prescribed by the MSRB and accompanied by such identifying information as is prescribed by the MSRB, an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information which has been made available to the public on the MSRB’s website or filed with the Securities and Exchange Commission; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Issuer’s fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(b).

(b) Not later than fifteen (15) Business Days prior to said date, the Issuer shall provide the Annual Report to the Dissemination Agent (if other than the Issuer). If the Issuer is unable to provide to the MSRB an Annual Report by the date required in subsection (a), the Issuer shall send a notice to the MSRB in substantially the same form as Exhibit A.

(c) The Dissemination Agent shall, if the Dissemination Agent is other than the Issuer, file a report with the Issuer certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided.

Section 4. Content of Annual Reports. The Issuer’s Annual Report shall contain or include by reference the following:

(a) The audited financial statements of the Issuer for the prior fiscal year, prepared in accordance with generally accepted accounting standards (GAAS) as from time to time in effect, and as prescribed by the Division of Local Government Services in the Department of Community Affairs of the State pursuant to Chapter 5 of Title 40A of the New Jersey Statutes. If the Issuer’s audited financial statements are not available by the time the Annual Report is required to be provided pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements and the audited financial statements shall be provided in the same manner as the Annual Report when they become available.

(b) The financial information and operating data consisting of (a) information concerning the Issuer’s debt, overlapping indebtedness, tax rate, levy and collection data, property valuation and fund balance of the type contained in the official Statement dated , 2020, pertaining to the sale of the Bonds and (b) the Issuer’s most recent adopted budget.
Section 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the Issuer will provide, in a timely manner not in excess of ten (10) business days after the occurrence of any of the following events, to the MSRB through EMMA, notice of any of the following events with respect to the Bonds (each, a "Listed Event"): 

1. Principal and interest payment delinquencies.
2. Non-payment related defaults, if material.
3. Unscheduled draws on debt service reserves reflecting financial difficulties.
4. Unscheduled draws on credit enhancements reflecting financial difficulties.
5. Substitution of credit or liquidity providers or their failure to perform.
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds.
7. Modifications to rights of holders of the Bonds, if material.
8. Bond calls, if material, and tender offers.
10. Release, substitution or sale of property securing repayment of the Bonds, if material.
11. Rating changes.
12. Bankruptcy, insolvency, receivership or similar event of the Issuer.
13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement related to any such actions, other than pursuant to its terms, if material.
14. Appointment of a successor or additional trustee, or the change of name of a trustee, if material.
15. Incurrence of a financial obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Issuer, any of which affect holders of the Bonds, if material.
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Issuer, any of which reflect financial difficulties.

(b) Upon the occurrence of a Listed Event, the Issuer shall promptly file, in a timely manner not in excess of ten (10) business days after the occurrence of the Listed Event, in an electronic format as prescribed by the MSRB and accompanied by such identifying information as is prescribed by the MSRB, a notice of such occurrence with the MSRB through EMMA. Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8) and (9) need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to Bondholders of affected Bonds pursuant to the Resolution.

Section 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the Issuer shall give notice of such termination in the same manner as for a Listed Event under Section 5(b).

Section 7. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the Issuer pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the Issuer.

Section 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Section 3(a), 4 or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Bondholders or Beneficial Owners of the Bonds.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating
data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(b), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate any Bondholder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default on the Bonds, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

Section 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including reasonable attorneys’ fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent’s gross negligence or willful misconduct. The obligations of the Issuer under this Section 11 shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

Section 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriters and the Bondholders and Beneficial Owners from time to time of the Bonds and shall create no rights in any other person or entity.

57
EXHIBIT A

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: City of Elizabeth, in the County of Union, New Jersey

Name of Bond Issue: $____ aggregate principal amount of General Obligation Bonds,
Series 2020, consisting of: $____ General Improvement Bonds
and $____ Sewer Utility Bonds

Dated Date: __________, 2020

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the
above-named Bonds as required by Section 3(a) of the Continuing Disclosure Certificate dated
__________, 2020. The Issuer anticipates that the Annual Report will be filed by ________.

Dated: __________

CITY OF ELIZABETH, IN THE COUNTY
OF UNION, NEW JERSEY

By: __________________________
Name: _________________________
Title: _________________________

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez
Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.

________________________

52
By City Council as a Whole:

Whereas, certain balances in capital ordinances are no longer required, namely,
The accounts are:

<table>
<thead>
<tr>
<th>Acct.</th>
<th>Ordnance</th>
<th>Description</th>
<th>Funded</th>
<th>Unfunded</th>
</tr>
</thead>
<tbody>
<tr>
<td>X36-001</td>
<td>4193</td>
<td>Elizabeth River Walkway</td>
<td>$466,810.15</td>
<td>$42,519.33</td>
</tr>
<tr>
<td>X55-001</td>
<td>4423</td>
<td>Elizabeth River Walkway II.</td>
<td>$742,015.90</td>
<td>$2,481,491.15</td>
</tr>
<tr>
<td>X77-001</td>
<td>4579</td>
<td>Miller Spray Park</td>
<td>$1,272,665.10</td>
<td>$42,519.33</td>
</tr>
<tr>
<td>X91-001</td>
<td>4463</td>
<td>Elizabeth River Trail</td>
<td>$2,481,491.15</td>
<td>$42,519.33</td>
</tr>
</tbody>
</table>

Now, Therefore Be It Resolved, that any unfunded balances in these accounts be canceled, namely,
The accounts are:

<table>
<thead>
<tr>
<th>Acct.</th>
<th>Ordnance</th>
<th>Description</th>
<th>Funded</th>
<th>Unfunded</th>
</tr>
</thead>
<tbody>
<tr>
<td>X36-001</td>
<td>4193</td>
<td>Elizabeth River Walkway</td>
<td>$466,810.15</td>
<td>$42,519.33</td>
</tr>
<tr>
<td>X55-001</td>
<td>4423</td>
<td>Elizabeth River Walkway II.</td>
<td>$742,015.90</td>
<td>$2,481,491.15</td>
</tr>
<tr>
<td>X77-001</td>
<td>4579</td>
<td>Miller Spray Park</td>
<td>$1,272,665.10</td>
<td>$42,519.33</td>
</tr>
<tr>
<td>X91-001</td>
<td>4463</td>
<td>Elizabeth River Trail</td>
<td>$2,481,491.15</td>
<td>$42,519.33</td>
</tr>
</tbody>
</table>

Be It Further Resolved, that any funded balances be canceled to Capital Surplus, namely,
The accounts are:

<table>
<thead>
<tr>
<th>Acct.</th>
<th>Ordnance</th>
<th>Description</th>
<th>Funded</th>
<th>Unfunded</th>
</tr>
</thead>
<tbody>
<tr>
<td>X36-001</td>
<td>4193</td>
<td>Elizabeth River Walkway</td>
<td>$466,810.15</td>
<td>$42,519.33</td>
</tr>
<tr>
<td>X55-001</td>
<td>4423</td>
<td>Elizabeth River Walkway II.</td>
<td>$742,015.90</td>
<td>$2,481,491.15</td>
</tr>
<tr>
<td>X77-001</td>
<td>4579</td>
<td>Miller Spray Park</td>
<td>$1,272,665.10</td>
<td>$42,519.33</td>
</tr>
<tr>
<td>X91-001</td>
<td>4463</td>
<td>Elizabeth River Trail</td>
<td>$2,481,491.15</td>
<td>$42,519.33</td>
</tr>
</tbody>
</table>

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez, Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Health and Human Services, Office of Youth – Safe Haven Afterschool program utilizes Jerome Dunn Academy No. 9 to offer academic and recreational activities for the City of Elizabeth youth ages 6-14; and

WHEREAS, the Director of the Department of Health and Human Services has received a bill from the Elizabeth Board of Education, 500 N. Broad Street, Elizabeth, NJ 07208 for the use of classrooms, gym, security, custodial services, faculty room/teachers room, nurses office, library, auditorium, pool and cafeteria at the Jerome Dunn Academy #9 in the amount of Forty-Seven Thousand, Eight Hundred Seventy-Four Dollars 50/100 ($47,874.50) for the period of September 12, 2018, through June 28, 2019; and

WHEREAS, the Director of the Department of Health and Human Services has requested authorization to pay said bill to the Elizabeth Board of Education; and

WHEREAS, this is a governmental agency and is exempt from the Bid Threshold as well as the Pay to Play; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 19-07720, charging the amount of $47,874.50 to Account No. 9-01-27-330-OYS-348 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 payment to the Elizabeth Board of Education, 500 N. Broad Street, Elizabeth, NJ 07208 for the use of classrooms, gym, security, custodial services, faculty room/teachers room, nurses office, library, auditorium, pool and cafeteria at the Jerome Dunn Academy #9 in the amount of Forty-Seven Thousand, Eight Hundred Seventy-Four Dollars 50/100 ($47,874.50) for the period of September 12, 2018, through June 28, 2019.
Councilwoman Perkins-Auguste stated that the pool was not used; there is no nurse after 3:00 p.m. She believes this is "double dipping" and wasting taxpayer money. She continued that this program was run out of the Mack Building. When the program outgrew the Mack Building, it was moved to the Miller, Evans, Logan Recreation Center. She stated further that the center was renovated to house this program. The Councilwoman stated that she is for programs, but she cannot be in favor of "double dipping". The program should've remained at the Miller, Evans, Logan Recreation Center. She stated further that she will not vote in favor of this "just because".

Council President Kiniery stated that at the last meeting it's City Council's understanding there are an additional one hundred (100) students in this program. He continued that this is last year's invoice. It has been renegotiated and the cost has been deducted by Twenty Thousand Dollars ($20,000.00).

Councilwoman Perkins-Auguste stated that they do not use the pool from 3:00 p.m. to 6:00 p.m. This cost is not based on fact. She believes Council should not be paying for a community school. If you go to the school right now, you will see five (5) to six (6) security guards looking at each other; go to the pool the life guards are looking at each other.

Councilwoman Perkins-Auguste stated that Miller, Evans, Logan Recreation Center has four (4) to five (5) rooms upstairs; a large room downstairs that can be used. She continued that this program was a collaboration grant with the Board of Education. This invoice may be based on theory not fact. This Council needs to send a message to the Board of Education that this is not going to happen. She stated further that she will never vote in favor of this invoice.

Councilman Gallman stated that he brought this up about moving the program back to the Recreation Center at the last meeting. If the number of students hasn't outgrown the center, then it should be sent back there. He agrees with the Councilwoman about paying for this program when it never cost the City.

Council President Kiniery stated that the past bill should be paid. Then Council can look at the program and decide if it should go back to the center.

Which was adopted by the following vote:

**AFFIRMATIVE:** Gonzalez, Cedeno, Gallman, Mazza And President Kiniery – 5.

**NEGATIVE:** Perkins-Auguste – 1.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, on December 10, 2019, City Council adopted a resolution which authorized E-Town Housing and Community Development Corporation the assistance of 19 Home units at the properties located at 158-168 First Street, 200-206; 208-210; 212-214 Third Street, Elizabeth, NJ; and

WHEREAS, the Director of the Department of Planning and Community Development has requested an amendment to the above-mentioned resolution to reflect in the Purpose section the following:

 Purpose: Acquisition ($305,000.00) & new construction ($792,402.00) of sixty (60) residential units of which 11 will be HOME assisted units and 3 RCA assisted units; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth amend the above said resolution adopted on December 10, 2019, to reflect the Purpose section as follows:

Acquisition ($305,000.00) & new construction ($792,402.00) of sixty (60) residential units of which 11 will be HOME assisted units and 3 RCA assisted units.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the Director of the Department of Public Works has requested authorization for the proper City Officials to apply, accept and sign all appropriate documents for the Union County Infrastructure and Municipal Aid Grant Program, 2020, in an amount not to exceed $150,000.00; and

WHEREAS, this grant program has a goal of providing assistance that will stimulate the development of public projects of economic, social, transportation and governmental importance to local municipalities. A total of $150,000.00 is being made available to Union County’s twenty-one municipalities through this initiative; and

WHEREAS, the guidelines provided for this grant, which were developed by the Union County Board of Chosen Freeholders, state that all funds awarded must be expended by December 31, 2020. Funds awarded must be matched dollar for dollar by the municipality; and

WHEREAS, the Department of Public Works seeks to utilize this anticipated funding to construct a new parking lot on City owned property at 34-58 Pine Street (corner of Pine Street and Front Street). This site will be utilized to increase parking for the Waterfront Park, Todd Bowles Sports Complex and Bike and Hike and Roll Throughway. The project generally consists of environmental remediation, new bituminous paved parking lot, fencing, lighting, drainage, and landscaping. The overall estimated cost of this project is approximately $750,000.00 and is scheduled to be bid in the Spring of 2020, with completion by December 2020; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth authorizes the proper City Officials to apply, accept and execute the necessary documents for the Union County Infrastructure and Municipal Aid Grant Program, 2020, in an amount not to exceed $150,000.00 for the construction of a new parking lot on City owned property at 34-58 Pine Street (corner of Pine Street and Front Street). This site will be utilized to increase parking for the Waterfront Park, Todd Bowles Sports Complex and Bike and Hike and Roll Throughway.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Augusto, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, on March 1, 2019, the Director of the Department of Public Works received qualification proposals for consulting professional engineering services for civil engineering; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of CME Associates to be qualified to provide the City of Elizabeth with professional engineering services in connection with Elizabeth Avenue Streetscape Phase 3 from Sixth Street to Fourth Street as per its proposal dated February 26, 2020; and

WHEREAS, the scope of work will consist of survey and base mapping within the project limits, preparation of construction plans, details, soil erosion plans, and specification for the proposed improvements closely matching the previous Phase 1 and 2 areas. CME, with assistance from the City will visit each property to determine where existing basements may extend beneath the existing sidewalks. The plans will include performance-based specification and design-build details to be utilized by contractors during the bidding process. CME will provide customary services during the bidding process and part-time 8 hours per week construction phase services during construction for an anticipated 16 weeks of construction; and

WHEREAS, the Director of the Department of Public Works has requested an award of a contract be made to CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859 to provide professional engineering services at a cost not to exceed $174,598.00 plus reimbursables in connection with the design and part-time construction administration of the Elizabeth Avenue Streetscape Phase 3; and

WHEREAS, the contract is hereby awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44 A-20.5, et seq., and N.J.S.A. 40A:11-5 (a) (i); 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; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available an appropriated for this purpose and Certification No. 20-06633, charging the amount of $174,598.00 to Account No. X-04-55-999-226-001 of the Municipal Budget is on file in the Office in the City Clerk; now, therefore, be it

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract with CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859, to provide professional engineering services at a cost not to exceed $174,598.00 plus reimbursables in connection with the design and part-time construction administration of the Elizabeth Avenue Streetscape Phase 3.

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, Gonzalez, Cedeno, Galman, Mazza And President Kiniery – 6.

NEGATIVE: None.
WHEREAS, on March 1, 2019, the Director of the Department of Public Works received qualification proposals for consulting professional engineering services; and

WHEREAS, the Department of Public Works reviewed the qualifications of all respondents and found the firm of Mott MacDonald, LLC, to be qualified to provide the City of Elizabeth with engineering services in connection with the Sewer System GIS Maintenance, as per its proposal dated February 25, 2020; and

WHEREAS, Mott MacDonald has assisted the City with significant upgrades and expansion of the City’s GIS database for the Municipal combined sewers, separate sanitary sewers, and separate storm sewer systems. These upgrades were implemented in large part to comply with and to facilitate other work required under permits issued by the New Jersey Department of Environmental Protection (NJDEP). This GIS now serves as a repository of information for the system characterization, recording and tracking key asset information, and strategic planning for asset management, operations and maintenance efforts; and

WHEREAS, the scope of work will consist of continuation of 12 months of periodic GIS updates based upon incoming records of system changes and improvements to keep the system current. The GIS database is a mission critical database for future planning and operation of the wastewater and stormwater systems. Mott MacDonald will also provide 12 months of live map service connection to the City’s sewer GIS database for interfacing with the City’s VueWorks software; and

WHEREAS, the Director of the Department of Public Works has requested an award of a contract be made to Mott MacDonald (MM), LLC, 111 Wood Avenue South, Iselin, New Jersey 08830-4112 to provide engineering services at a time and materials basis not to exceed $25,000.00 plus reimbursables in connection with the Sewer System GIS Maintenance; and

WHEREAS, the contract is hereby awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44 A-20.5, et seq. and N.J.S.A. 40A:11-5 (a) (i); 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; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available an appropriated for this purpose and Certification No. 20-06635, charging the amount of $25,000.00 to Account No. X-08-55-045-034 of the Municipal Budget, is on file in the Office in the City Clerk; now, therefore, be it

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

1. The Mayor, and the Municipal Clerk are hereby authorized to execute a contract with Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey 07701 Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey to provide engineering services at a time and materials basis not to exceed $25,000.00 plus reimbursables in connection with the Sewer System GIS Maintenance.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-2(6) and N.J.S.A. 40A:11-5 (a) (i) 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, Gonzalez
Cedeno, Galimian, Mazza And President Kiniery – 6.
NEGATIVE: None.
WHEREAS, On December 27, 2017, City Council adopted a resolution authorizing the City of Elizabeth to award a contract to Maser Consulting P.A. 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701 to provide GIS services at a lump sum cost of $41,000.00 plus reimbursables for the Development of an Enterprise GIS and GIS Based Parcel Mapping in accordance with State of New Jersey Tax Map Regulations and Standards; and

WHEREAS, the scope of services provided for a seamless parcel base dataset for both an eGIS program and a N.J. State Division of Taxation tax map plan set. The new tax map set will consist of approximately 239 plan sheets to be submitted for recertification by the New Jersey Department of the Treasury, Division of Taxation, including approximately 23 new detail sheets and condominium detail sheets that will be submitted for certification. The eGIS program portion of this project will act as a Citywide information portal, allowing for review of current property conditions, incorporating software database feeds of Edmunds, and MODIV. At the completion of the project the City will have one centralized web-based eGIS program accessible in and outside the office in a password protected environment; and

WHEREAS, the Tax Map deliverables will be the base of the eGIS program. Edited parcels will be reflected on the N.J. State Taxation Standardized tax map set and within the eGIS program. The eGIS program will be capable of expansion to public portal access, service calls, work orders, and resource management. The system will also satisfy asset management regulations imposed by the EPA, Water Quality Act, and MS4 NJDEP to name a few. The City will have capabilities to add condition, risk, valuation and capital project planning capability which will round out the eGIS program in future phases; and

WHEREAS, this effort is a first step to support the State mandated revaluation of the City; and

WHEREAS, this contract amendment is for additional edits to the new tax map set resulting from additional parcel information provided by the City upon review of the draft map sheets as well as edits related to the 2019 tax and parcel changes that have taken place since the start of the project which were not existing in 2018; and Therefore, we respectfully request that your Honorable Body authorize the adoption of a resolution; and

WHEREAS, the Director and the Department of Public Works has requested your Honorable Body adopt a resolution to amend the contract with Maser Consulting P.A., 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701 to provide GIS services at an additional lump sum cost not to exceed $19,925.00 plus reimbursables for the Development of an Enterprise GIS and GIS Based Parcel Mapping in accordance with State of New Jersey Tax Map Regulations and Standards for a total contract amount of $560,925.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 20-06634, charging the amount of $19,925.00 to Account No. 0-01-55-275-000 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 an amendment to the resolution dated December 27, 2017, with Maser Consulting P.A., 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701 to provide GIS services at an additional lump sum cost not to exceed $19,925.00 plus reimbursables for the Development of an Enterprise GIS and GIS Based Parcel Mapping in accordance with State of New Jersey Tax Map Regulations and Standards for a total contract amount of $560,925.00.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez
Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None
BY CITY COUNCIL AS A WHOLE:

WHEREAS, GEI Consultants, Inc. of 18000 Horizon way, Suite 200, Mount Laurel, NJ 08054 on behalf of South Jersey Industries and Elizabethtown Gas has requested site access to the three (3) City properties: Rear 200-334 Third Avenue (Tax Acc # 5-1381.A), 433-451 South Second Street (Tax Acc # 5-1154), 417-429 South First Street (Tax Acc # 2-866.C) in connection with environmental exploration and sampling activities related to the Former Elizabethtown Gas Manufactured Gas Plant (currently operated as a natural gas storage and distribution facility) located on the adjacent property at 200-334 Third Avenue to establish the limits of soil and groundwater contamination resulting from historic site operations; and

WHEREAS, GEI Consultants, Inc. proposes to install a total of at least twenty-five (25) soil borings on the City of Elizabeth properties near the southerly and westerly Elizabethtown Gas property lines to determine the nature and extent of contamination. These borings will be advanced and abandoned in accordance with NJDEP and U.S. Army Corp of Engineers Requirements and Standards. The term of this agreement should be for one (1) year and can be renewed upon request from the applicant; and

WHEREAS, the Department of Public Works requests City Council adopt a resolution allowing proper City Officials to enter into an Access Agreement with GEI Consultants, Inc. and/or South Jersey Industries/Elizabethtown Gas to complete the environmental investigation at the location referenced above to evaluate the nature and extent of contamination from the Former Elizabethtown Gas Manufactured Gas Plant Operations which is required by the NJDEP to advance the site remediation. The agreement will include provisions that require the City to be provided copies of all applicable permits and results obtained from the investigation; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth authorizes the proper City Officials to enter into a Site Access Agreement with GEI Consultants, Inc. of 18000 Horizon way, Suite 200, Mount Laurel, NJ 08054 on behalf of South Jersey Industries and Elizabethtown Gas to complete the environmental investigation at properties located at: Rear 200-334 Third Avenue (Tax Acc # 5-1381.A), 433-451 South Second Street (Tax Acc # 5-1154), 417-429 South First Street (Tax Acc # 2-866.C) and to evaluate the nature and extent of contamination from the Former Elizabethtown Gas Manufactured Gas Plant Operations which is required by the NJDEP to advance the site remediation; and be it

FURTHER RESOLVED, that this agreement will include provisions that require the City to be provided copies of all applicable permits and results obtained from the investigation.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gailman, Mazza And President Kinyer - 6.

NEGATIVE: None.
RESOLVED, by City Council of the City of Elizabeth that Tuesday, May 26, 2020, is hereby designated as "Youth in City Government Day" and that the regularly scheduled meeting for May 26, 2020 shall be held at 2:00pm; and be it

FURTHER RESOLVED, that Councilman Carlos Cedeno, has been appointed as Chairman of said affair.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez
Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, a worker’s compensation case is currently pending in the matter of Lisa Lesinak-Kozlow (CP No: 2014-24303); and

WHEREAS, this matter was conferred before Judge Prisco at the Plainfield Workers’ Compensation Court. Judge Prisco, after reviewing all medical records and permanency evaluations, recommended a settlement of 30% of right foot, 10% of right leg and 7½% partial total. The settlement equals 145.5 weeks at $248.48, totaling Thirty-six Thousand, One Hundred Fifty-four Dollars 50/100 ($36,154.50); and

WHEREAS, the Law Department and Christopher J. Kinsella, Esq. of LaCorte, Bundy, Varady & Kinsella finds this settlement recommendation to be both fair and reasonable; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available and appropriated for this purpose and Certification No. 20-06652, charging the amount of $36,154.50 to Account No. 20-21-56-249 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 hereby approves and authorizes the settlement of the claim in an amount of $36,154.50 payable to Lisa Lesinak-Kozlow, 135 Marshall Street, 2nd Floor, Elizabeth, NJ 07206, and Attorney for the Plaintiff: LORD KOBRYN ALVAREZ & FATTELL, 1283 Route 22, East, Mountainside, New Jersey 07092.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:  March 5, 2020

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 herein below; 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:

<table>
<thead>
<tr>
<th>Company</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>AT&amp;T Mobility</td>
<td>0-01-31-440</td>
<td>$191.20</td>
</tr>
<tr>
<td>Constellation New Energy, Inc.</td>
<td>0-01-31-430</td>
<td>$38.96</td>
</tr>
<tr>
<td>Elizabethtown Gas</td>
<td>0-01-31-446</td>
<td>$12,653.71</td>
</tr>
<tr>
<td>Elizabethtown Gas</td>
<td>0-07-55-500</td>
<td>$310.05</td>
</tr>
<tr>
<td>Elizabethtown Gas SEW-351</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elizabethtown Gas</td>
<td>0-01-31-447</td>
<td>$3,510.28</td>
</tr>
<tr>
<td>PSE&amp;G</td>
<td>0-01-31-435</td>
<td>$167,905.60</td>
</tr>
<tr>
<td>PSE&amp;G</td>
<td>0-01-31-430</td>
<td>$40,026.53</td>
</tr>
<tr>
<td>South Jersey Energy</td>
<td>0-01-31-430</td>
<td>$43,566.38</td>
</tr>
<tr>
<td>Sprint</td>
<td>0-01-31-440</td>
<td>$391.60</td>
</tr>
<tr>
<td>UGI Energy Services, LLC</td>
<td>0-01-31-446</td>
<td>$11,482.57</td>
</tr>
<tr>
<td>Verizon</td>
<td>0-01-31-440</td>
<td>$2,416.29</td>
</tr>
</tbody>
</table>

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth would like to commend and congratulate Pastor Earnest Jackson on his 10th Anniversary as Pastor of Greater St. John’s MER Church, Elizabeth, NJ; and

WHEREAS, born on July 3, 1959, to the late Bishop Benjamin Franklin and the late Betty Mae Jackson, Earnest, one of six children, started out singing at his father’s church, St. John MER Church, Elizabeth, NJ, in the youth choir. It was during these early years that a Christian foundation was laid and his amazing singing gift was discovered and nurtured; and

WHEREAS, Pastor Jackson attended the Elizabeth public schools and graduated from Thomas Jefferson High School in 1977. Earnest pursued a career in advertising design and received a degree from the Newark School of Fine Industrial Arts in 1980. He then worked as a commercial artist for several years; and

WHEREAS, at the age of 18, Earnest discovered the gift of song writing. At the age of 21, his first song was nationally recorded by one of gospel music’s legends, Dorothy Norwood. He went on to write and record songs for artists such as Reverend Milton Biggham, Revival Temple Mass Choir of Newark, NJ, Richard “Mr. Clean” White, Stefanie Minnette & Jubilation, Vincent Freeman and his little sister, two-time Stellar Award Nominee, Nancey Jackson-Johnson; and

WHEREAS, in 1991 he left his father’s church in his quest to discover the ultimate call of God on his life. In October 2007 Earnest was licensed to preach the Gospel under the leadership of Pastor’s Bryan & Antoinette Attison at Christ Church of Howell, NJ; and

WHEREAS, in May of 2009, Earnest and his wife Gwen went back to his father’s church to assist him. After the death of his father in December 2009 Earnest was ordained as an Elder by his spiritual father, Bishop Robert Jiggetts in February 2010. In March 2010, Earnest was appointed and installed as the Pastor of St. John MER Church, continuing the legacy of his father. In addition, under his leadership, the church officially changed its name to Greater St. John MER Church, acknowledging that “A change, it’s new, it’s here, it’s now.” Isaiah 43:19; and

WHEREAS, Pastor Jackson has been married to his high school sweetheart Gwen for 38 years and they have two children, Justin and Phylicia; now, therefore, be it

RESOLVED, that the City Council of the City of Elizabeth commends and congratulates Pastor Earnest Jackson on his 10th Anniversary as Pastor of Greater St. John’s MER Church, Elizabeth, NJ; and be it

FURTHER RESOLVED, that as a token of appreciation, a copy of this Resolution shall be spread in full upon the minutes of City Council and that a certified copy be forwarded to him.

Which was adopted by the following vote:

AFFIRMATIVE: Perkins-Auguste, Gonzalez Cedeno, Gallman, Mazza And President Kiniery – 6.

NEGATIVE: None.
BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council of the City of Elizabeth has learned with profound regret of the death of Mrs. Guarino, and

WHEREAS, Mrs. Guarino was a dedicated public servant who served with distinction, now, therefore, be it

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

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof 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 with profound regret of the death of Mr. Valdes, and

WHEREAS, Mr. Valdes was a dedicated public servant who served with distinction, now, therefore, be it

RESOLVED, that we, the members of City Council of the City of Elizabeth, hereby express our sincere sorrow at his death and to his family over their great loss; and be it

FURTHER RESOLVED that this expression of our sympathy be recorded in full upon the minutes of City Council and an acknowledgement thereof be sent to his family.

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

Councilman Gallman moved that City Council do now adjourn.

Which was carried unanimously.

Whereupon Council President Kiniery declared City Council adjourned at 8:50 P.M.

APPROVED

KEVIN J. KINIER YOLANDA M. ROBERTS
President of City Council Municipal Clerk