When Does a Politician Take Time For One-on-One Talks?

The interview with Andy Skibitsky and Tom Jardim in *The Westfield Leader* was informative and gave both candidates for mayor a chance to express their views. It provided us with a good prospective on what we can expect from our next mayor.

Then a few pages later I read the article by Tom Jardim, which told a different story. In the first article, Tom Jardim acknowledged that while he was mayor he shared responsibility for the conception of the parking deck, "I share a lot of credit for getting the ball rolling on the parking deck."

In the article Mr. Jardim wrote he is critical of the nearly $1 million Westfield spent studding the parking deck he proposed in the first place and was later rejected by the voters. Mr. Jardim was critical or the 2004 town budget that increased taxes and falsely states that then Councilman Andy Skibitsky voted for the budget, when in fact Andy Skibitsky voted against the budget.

Andy Skibitsky had been mayor since June 21 when Mayor Greg Mc Dermott resigned. In his first three months as Mayor, Andy Skibitsky has been working on restricting the height of new homes and is addressing traffic problems. He established Saturday hours enabling Westfield residents to meet with him one-on-one. When was the last time you heard of a politician actually making time to meet with citizens one-on-one on a regular basis?

In his first three month as mayor, Andy Skibitsky has demonstrated the type of leadership the people of Westfield deserve. Now he deserves our support.

Thomas Lienhard
Westfield

WF Residents Say Thank You For The Community Solution for Safety

In the spring of this year, residents of Watchung Fork and Lenape Trail signed a petition to limit parking on our streets during drop-off and pick-up times at Franklin Elementary School. The path that cuts through to the school is utilized by several families that live here as well as families that park here to bring their children to and from school. Parents have noticed that parking on both sides of the street near the path limits the visibility of those walking, especially our children. The situation is further exacerbated during Fall and Winter when piles of leaves or snow accumulate at the curbs. Of the 15 residents living on Watchung Fork and the effected 3 homes on Lenape Trail, seventeen of them signed the petition. The resident who didn't was given the opportunity.

Apparently, when several town officials came to inspect the area at these times of the day, it was determined that all parking on the inside of the loop should be eliminated since emergency vehicles could not safely maneuver the turns. Restrictions were also put into place for parking to allow for visibility around the path area. These restrictions are consistent with those placed on Stoneleigh Park, a similar street. Many of us were surprised by the extent of the restrictions ultimately put into place, since they greatly exceeded the scope of our request. However, a recent event has convinced us that these parking restrictions are for the safety of the public. Soon after the restrictions were posted, the Westfield Rescue Squad was able to reach a home for an emergency. This emergency took place at a time when there were many cars parked on the street and would have been hampered had it not been for these new restrictions.

We'd like to thank Councilmen Sal Caruana and Mark Ciarrocca for their work and involvement in this process. We also want to especially thank Peter Echausse, 1st Ward Councilman, for his help, guidance and support, and the numerous emails and phone calls.

We thank Fire Chief Kelly and the other officials, who came and assessed the problem to be in the interest of public safety. We respect the decision, although it was not the solution that the petitioning residents intended.

We also thank Kris McAloon at the Department of Public Works for his quick response in some adjustments needed and the public works employees.

We appreciate *The Westfield Leader's* balanced and fair coverage of this matter. Lastly, we want to thank the police department for helping town residents understand and abide by the new parking restrictions.

Westfielders: The Baran Family; Ginny McGeary; Jon and Patricia Bramnick; Douglas and Joyce Pravda; Stan and Lorraine Ciemniecki; Matthew and Cheryl Roggenburg; Grover and Pat Connell; Dean and Christina Serratelli; Christopher and Anastasia Daifotis; Michael and Marci Schoenbach; Sara Jane Enslin; Jim and Mary Lou Taylor; Mikie Farley; ; Frank and Janet Williams; Mitchell and Joanne Greene; Jean-Marc and Bethany Zimmerman; Souran and Fariba Manoochehri

PUBLIC NOTICE

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
UNION COUNTY
DOCKET NO. F-6685-05
CAP FILE NO. 8859-05

NOTICE TO ABSENT DEFENDANT

(L.S.) STATE OF NEW JERSEY TO: SIDNEY JORDEN, HIS HEIRS, DEVISEES AND PERSONAL REPRESENTATIVES AND HIS, HER, THEIR OR ANY OF THEIR SUCCESSORS IN RIGHT, TITLE AND INTEREST; ADDIE, JORDEN, HIS WIFE, HER HEIRS, DEVISEES AND PERSONAL REPRESENTATIVES AND HIS, HER, THEIR OR ANY OF THEIR SUCCESSORS IN RIGHT, TITLE AND INTEREST;

YOU ARE HEREBY SUMMONED AND REQUIRED to serve upon CASALE & PELLEGRINO, LLC, plaintiff's attorneys, whose address is GATEHALL 1, PARSIPPANY, NEW JERSEY 07054, an Answer to the Complaint filed in a Civil Action, in which CAROL SEGAL is the plaintiff and SIDNEY JORDEN, HIS HEIRS, ET ALS; are defendants, pending in the Superior Court of New Jersey, Chancery Division, UNION County and bearing Docket No. F-6685-05 within thirty-five (35) days after October 6, 2005 exclusive of such date. If you fail to answer or appear in accordance with Rule 4:4-6, Judgment by Default may be rendered against you for relief demanded in the Complaint. You shall file your Answer and Proof of Service in duplicate with the Clerk of the Superior Court of New Jersey, Hughes Justice Complex - CN 971, Trenton, New Jersey 08625, in accordance with the Rules of Civil Practice and Procedure.

You are further advised that if you are unable to obtain an attorney you may communicate with the Lawyer Referral Service of the County of Venue and that if you cannot afford an attorney, you may communicate with the Legal Services Office of the County of Venue. The telephone number of such agencies are as follows: Lawyer Referral Service 908-353-4715 - Legal Services Office 908-354-4340.

THE ACTION has been instituted for the purpose of foreclosing the following tax sale certificate: 1. A certain tax certificate 010090, recorded on 12/27/2001, made by TERRI MAGNUSSON, Collector of Taxes of UNION TOWNSHIP, and State of New Jersey to CAROL SEGAL and subsequently assigned to plaintiff, CAROL SEGAL. This covers real estate located in UNION TOWNSHIP, County of UNION, and State of New Jersey, known as LOT 23 BLOCK 4803 as shown on the Tax Assessment Map and Tax Map duplicate of UNION TOWNSHIP. and concerns premises commonly known as 5 WINDSOR AVENUE, UNION TOWNSHIP, New Jersey.

YOU, SIDNEY JORDEN, HIS HEIRS, DEVISEES AND PERSONAL REPRESENTATIVES AND HIS, HER, THEIR OR ANY OF THEIR SUCCESSORS IN RIGHT, TITLE AND INTEREST and ADDIE, JORDEN, HIS WIFE, HER HEIRS, DEVISEES AND PERSONAL REPRESENTATIVES AND HIS, HER, THEIR OR ANY OF THEIR SUCCESSORS IN RIGHT, TITLE AND INTEREST, are made party defendants to the above foreclosure action because you are the owners of a property which is the subject of the above entitled action.

DATED: September 29, 2005
Donald F. Phelan, Clerk
of the Superior Court of New Jersey
CASALE & PELLEGRINO, L.L.C.
1 Gatehall Drive
Parsippany, New Jersey 07054
1 T - 10/6/05, The Leader Fee: $75.99

More Letters to the Editor

CONTINUED FROM PAGE 4

Tom Jardim's Claims About Taxes Are Simply Wrong

Like nearly everyone else who pays taxes, I wish my property taxes were lower. Politicians such as Tom Jardim know that – that's why they promise, as the former mayor did in these pages last week, to lower your taxes (or at least your tax increases)

Unfortunately, Jardim's claims about the tax rate during his term in office do not stand up to the tests of simple math and truth.

As background, I served on the Westfield Town Council for seven years, including the four (1997-2000) in which Mr. Jardim was mayor. I have worked in the financial services field in the nearly 20 years since I earned my MBA, so I have a fair idea of use and misuse of financial figures.

As an example of why he should be elected, candidate Jardim claimed that while he was mayor, taxes increased by "less than the rate of pay increases (for town employees)" and "about the average rate of inflation." If true, it would be impressive – but both these claims are not only false, but startling and misleading, beginning with the fact he opposed two of the town budgets for which he now tries to take credit.

His claim that the increases were "about the same as inflation" is easily checked and debunked (www.bls.gov). Over the four years for which Jardim made the claim, Westfield taxes rose 25 percent and inflation rose by or just 2 percent per year or a total of 8 percent. Jardim's "low" taxes rose three times as fast as inflation.

Simple math shows that the average tax went up at least 6 to 7 percent per year – much higher than any pay increases to our employees. Still, the former mayor's fuzzy math leads him to believe he was able to spend more without taxing more.

How could he believe his own claim that the town raised pay faster than raising taxes? Simple – the Jardim years budgets depended on unprecedented borrowing and one-time gimmicks such as selling land to developers and using the proceeds to balance an otherwise unbalanced budget.

During Jardim's four years, the town sold property to raise $1,699,416 and spent over $2,701,000 of these one-time-only funds to artificially – and temporarily – lower tax rates. (The extra $1,001,584 in spending came from draining the account of funds that were put aside from sales made in 1996.)

In addition, the town committed to bonds and leases of over $5 million – the payments on which we are still making today – raising our current year taxes - and for which Jardim now blames his opponent in the fall election.

The claims made in last week's *Leader* are exactly why Tom Jardim should not be elected again. He either doesn't understand that what he wrote last week about taxes and spending was completely wrong - or he does know that his statements were incorrect, and thinks that cleverly misleading the voters of this town is "just politics".

Tax policy is the most important issue in our community and it deserves straightforward, straight talking, well-informed and gimmick-free discussion by the leaders of this town. Tom Jardim, both when he was mayor in the late 90's and today as a candidate again, has shown he is not capable of such a task.

Neil Sullivan
Westfield

Single Jewish Friends Reveal Lunch Date

COUNTY – The Circle of Single Jewish Friends 49+ will hold a Meet and Eat Lunch on Sunday, October 23, at noon at Bertucci's, 899 St. Georges Avenue in Woodbridge.

The cost is $3 plus the price of a meal/tip off the menu. For more details, directions or to respond, please call Roberta at (908) 668-8450.

Wisdom's Light to Explore Reproductive Cloning

WESTFIELD – The public is invited to a discussion of faith, reproductive cloning and germ life modification on Tuesday, October 11, at 7:30 p.m. in the Coe Fellowship Room of the First Congregational Church of Westfield, located at 125 Elmer Street.

This discussion will mark the second session in a fall religion and science series on "A Consistent Ethic of Human Life." The third session on the prolongation of life will be held Tuesday, November 8.

Reproductive cloning is a technology that allows the creation of an embryo with the DNA of a single donor. The DNA prior to implantation also can be modified to improve the clone. This technology additionally can lead to germ line modification where the clone not only is genetically enhanced, but his or her children also will carry the enhanced genes.

Reproductive cloning has been outright banned. Session participants will explore ethical issues regarding cloning, the humanity (or lack) of a clone, and whether there is ever a moral justification for improving the germ line.

Wisdom's Light ministry, a ministry of the Reverend John Mills, will sponsor this session. Reverend Mills is a co-convener of the United Church of Christ Science and Technology Network and a United Church of Christ representative to the Ecumenical Roundtable on Religion and Science.

The opinions expressed in the session are solely those of the ministry and may not be those of the host church. Reverend Mills can be reached at wislit@worldnet.att.net. Additional information on the ministry also is available at www.wisdomslight.net.

Vandalism Disturbs Westfield Resident

I reside on Hillcrest Avenue in Westfield. Friday night my sidewalk was spray-painted. Luckily the vandalism was slight; however, I am most disturbed by the destruction caused at the Christopher Academy next door. Inside their fenced playground, profanity and obscene images were spray-painted for the pre-school children to see. The school filed a police report. I summoned the police but did not file a report.

As a subscriber I would greatly appreciate your bringing this subject to the attention of the public.

Roxanne Paylago
Westfield

PUBLIC NOTICE

TOWN OF WESTFIELD
PLANNING BOARD

Notice is hereby given that the Westfield Planning Board at its special meeting on Thursday, September 29, 2005 memorialized the following Board action taken on September 8, 2005:

05-14 RALPH RAPUANO, JR., 123 GREENE PLACE, BLOCK 4801, LOT 19, SEEKING MINOR SUBDIVISION WITH NO VARIANCES. APPLICANT SEEKS TO DEMOLISH EXISTING HOUSE AND DETACHED GARAGE, SUBDIVIDE ONE LOT INTO TWO CONFORMING LOTS. APPLICANT TO CONSTRUCT TWO NEWLY CONFORMING SINGLE FAMILY RESIDENTIAL DWELLINGS ON EACH OF THE NEWLY CREATED LOTS. Approved with conditions

Kenneth B. Marsh
Secretary
1 T - 10/6/05, The Leader Fee: $22.44

PUBLIC NOTICE

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
UNION COUNTY
DOCKET NO. F-4034-05
CAP FILE NO. 8858-05

NOTICE TO ABSENT DEFENDANT

(L.S.) STATE OF NEW JERSEY TO: LUCY DEVITO A/K/A LUCIA DEVITO, HER HEIRS, DEVISEES AND PERSONAL REPRESENTATIVES AND HIS, HER, THEIR OR ANY OF THEIR SUCCESSORS IN RIGHT, TITLE AND INTEREST; R.R.K. ASSOCIATES;

YOU ARE HEREBY SUMMONED AND REQUIRED to serve upon CASALE & PELLEGRINO, LLC, plaintiff's attorneys, whose address is GATEHALL 1, PARSIPPANY, NEW JERSEY 07054, an Answer to the Complaint filed in a Civil Action, in which CAROL SEGAL is the plaintiff and LUCY DEVITO A/K/A LUCIA DEVITO, HER HEIRS, ET ALS; are defendants, pending in the Superior Court of New Jersey, Chancery Division, UNION County and bearing Docket No. F-4034-05 within thirty-five (35) days after October 6, 2005 exclusive of such date. If you fail to answer or appear in accordance with Rule 4:4-6, Judgment by Default may be rendered against you for relief demanded in the Complaint. You shall file your Answer and Proof of Service in duplicate with the Clerk of the Superior Court of New Jersey, Hughes Justice Complex - CN 971, Trenton, New Jersey 08625, in accordance with the Rules of Civil Practice and Procedure.

You are further advised that if you are unable to obtain an attorney you may communicate with the Lawyer Referral Service of the County of Venue and that if you cannot afford an attorney, you may communicate with the Legal Services Office of the County of Venue. The telephone number of such agencies are as follows: Lawyer Referral Service 908-353-4715 - Legal Services Office 908-354-4340.

THE ACTION has been instituted for the purpose of foreclosing the following tax sale certificates: 1. A certain tax certificate 980054, recorded on 1/29/1999, made by TERRI MAGNUSSON, Collector of Taxes of UNION, and State of New Jersey to CAROL SEGAL and subsequently assigned to plaintiff, CAROL SEGAL. This covers real estate located in UNION, County of UNION, and State of New Jersey, known as LOT 12 BLOCK 1608 as shown on the Tax Assessment Map and Tax Map duplicate of UNION. and concerns premises commonly known as 1021 NORTON ROAD, UNION, New Jersey. 2. A certain tax certificate 99-053, recorded on 11/4/1999, made by TERRI MAGNUSSON, Collector of Taxes of UNION, and State of New Jersey to CAROL SEGAL and subsequently assigned to plaintiff, CAROL SEGAL. This covers real estate located in UNION, County of UNION, and State of New Jersey, known as LOT 12 BLOCK 1608 as shown on the Tax Assessment Map and Tax Map duplicate of UNION. and concerns premises commonly known as 1021 NORTON ROAD, UNION, New Jersey.

YOU, LUCY DEVITO A/K/A LUCIA DEVITO, HER HEIRS, DEVISEES AND PERSONAL REPRESENTATIVES AND HIS, HER, THEIR OR ANY OF THEIR SUCCESSORS IN RIGHT, TITLE AND INTEREST, are made party defendants to the above foreclosure action because you are the owners of a property which is the subject of the above entitled action.

YOU, R.R.K. ASSOCIATES, are made party defendant to the above foreclosure action because on January 4, 1993, R.R.K. Associates, recorded a Tax Sale Certificate bearing No. 92-123 against Caprio, Caspoi, for a debt of $863.34, sold on December 1, 1992, for unpaid taxes for the year 1991, recorded in the UNION County Clerk's/Register's Office in Mortgage Book 4733 at page 266, dated December 21, 1992. Said lien is subordinate to the Tax Sale Certificate being foreclosed herewith.

DATED: September 29, 2005
Donald F. Phelan, Clerk
of the Superior Court of New Jersey
CASALE & PELLEGRINO, L.L.C.
1 Gatehall Drive
Parsippany, New Jersey 07054
1 T - 10/6/05, The Leader Fee: $88.23

PUBLIC NOTICE

TOWN OF WESTFIELD
PLANNING BOARD

Notice is hereby given that the Westfield Planning Board at its special meeting on Thursday, September 29, 2005 memorialized the following Board action taken on September 8, 2005:

04-32(V) J.W.V., INC., 645 WILLOW GROVE ROAD, BLOCK 4603, LOT 25 SEEKING MINOR SUBDIVISION APPROVAL WITH VARIANCES. APPLICANT SEEKS TO REMOVE EXISTING HOUSE, GARAGE AND SHED ON EXISTING LOT AND SUBDIVIDE LOT INTO TWO RESIDENTIAL BUILDING LOTS, ONE OF WHICH IS CONFORMING THE OTHER IS NOT. Approved with conditions.

Kenneth B. Marsh
Secretary
1 T - 10/6/05, The Leader Fee: $21.93

PUBLIC NOTICE

TOWN OF WESTFIELD

Public Notice is hereby given that the ordinances as follows were passed and adopted by the Town Council of the Town of Westfield at a meeting thereof held on September 27, 2005.

Claire J. Gray
Acting Town Clerk

GENERAL ORDINANCE NO 1854 AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13, AS AMENDED BY RESOLUTION NO.337 (PARKING RESTRICTIONS & PERMIT FEES)

GENERAL ORDINANCE NO. 1855 AN ORDINANCE AMENDING CHAPTER 33, ARTICLE I, SECTIONS 33-1 AND 33-5 OF THE CODE OF THE TOWN OF WESTFIELD AND ESTABLISHING PROCEDURES FOR THE COLLECTION AND DISPOSAL OF LEAVES.

GENERAL ORDINANCE NO. 1856 AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD IN ORDER TO REVISE THE DEFINITIONS OF LOT DEPTH AND LOT WIDTH AND TO REVISE THE REQUIREMENTS FOR CORNER LOTS IN THE ONE- AND TWO-FAMILY RESIDENTIAL ZONE DISTRICTS

1 T - 10/6/05, The Leader Fee: $34.17

PUBLIC NOTICE

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
UNION COUNTY
DOCKET NO. F-4384-05
CAP FILE NO. 8857-05

NOTICE TO ABSENT DEFENDANT

(L.S.) STATE OF NEW JERSEY TO: JEROME M. RICCIO; MRS. JEROME M. RICCIO, WIFE OF JEROME M. RICCIO; JEFFREY GOLDBERG; MRS. JEFFREY GOLDBERG, WIFE OF JEFFREY GOLDBERG; STAN MOSKOWITZ; MRS. STAN MOSKOWITZ, WIFE OF STAN MOSKOWITZ; MARIE TURNBULL; ALEXANDER TURNBULL;

YOU ARE HEREBY SUMMONED AND REQUIRED to serve upon CASALE & PELLEGRINO, LLC, plaintiff's attorneys, whose address is GATEHALL 1, PARSIPPANY, NEW JERSEY 07054, an Answer to the Amended Complaint filed in a Civil Action, in which CAROL SEGAL is the plaintiff and JEROME M. RICCIO, ET ALS; are defendants, pending in the Superior Court of New Jersey, Chancery Division, UNION County and bearing Docket No. F-4384-05 within thirty-five (35) days after October 6, 2005 exclusive of such date. If you fail to answer or appear in accordance with Rule 4:4-6, Judgment by Default may be rendered against you for relief demanded in the Amended Complaint. You shall file your Answer and Proof of Service in duplicate with the Clerk of the Superior Court of New Jersey, Hughes Justice Complex - CN 971, Trenton, New Jersey 08625, in accordance with the Rules of Civil Practice and Procedure.

You are further advised that if you are unable to obtain an attorney you may communicate with the Lawyer Referral Service of the County of Venue and that if you cannot afford an attorney, you may communicate with the Legal Services Office of the County of Venue. The telephone number of such agencies are as follows: Lawyer Referral Service 908-353-4715 - Legal Services Office 908-354-4340.

THE ACTION has been instituted for the purpose of foreclosing the following tax sale certificate: 1. A certain tax certificate 00-308, recorded on 1/9/2001, made by TERRI MAGNUSSON, Collector of Taxes of UNION, and State of New Jersey to CAROL SEGAL and subsequently assigned to plaintiff, CAROL SEGAL . This covers real estate located in UNION, County of UNION, and State of New Jersey, known as LOT 24 BLOCK 1003 as shown on the Tax Assessment Map and Tax Map duplicate of UNION. and concerns premises commonly known as 357 WHITEWOOD ROAD, UNION, New Jersey.

YOU, JEROME M. RICCIO; JEFFREY GOLDBERG; and STAN MOSKOWITZ, are made party defendants to the above foreclosure action because you are the owners of a property which is the subject of the above entitled action.

YOU, MRS. JEROME M. RICCIO, WIFE OF JEROME M. RICCIO; MRS. JEFFREY GOLDBERG, WIFE OF JEFFREY GOLDBERG; and MRS. STAN MOSKOWITZ, WIFE OF STAN MOSKOWITZ, are made party defendants to the above foreclosure action because plaintiff has been unable to determine whether defendants JEROME M. RICCIO; JEFFREY GOLDBERG; and STAN MOSKOWITZ are married, and if married, the name of JEROME M. RICCIO; JEFFREY GOLDBERG; and STAN MOSKOWITZ's spouses. If JEROME M. RICCIO; JEFFREY GOLDBERG; and STAN MOSKOWITZ are married, the plaintiff joins MRS. JEROME M. RICCIO, WIFE OF JEROME M. RICCIO; MRS. JEFFREY GOLDBERG, WIFE OF JEFFREY GOLDBERG; and MRS. STAN MOSKOWITZ, WIFE OF STAN MOSKOWITZ as defendants for any possessory or marital rights you may have.

YOU, MARIE TURNBULL and ALEXANDER TURNBULL, are made party defendants to the above foreclosure action because on July 28, 1989, a judgment was entered in the Superior Court of New Jersey, Morris County, by Marie Turnbull and Alexander Turnbull against Jeffrey Goldberg disclosing a debt in the amount of $8,000.00, plus costs. Said judgment was entered as Judgment No. J-063309-1989. Said judgment is subordinate to the Plaintiff's lien.

DATED: September 29, 2005
Donald F. Phelan, Clerk
of the Superior Court of New Jersey
CASALE & PELLEGRINO, L.L.C.
1 Gatehall Drive
Parsippany, New Jersey 07054
1 T - 10/6/05, The Leader Fee: $96.39

PUBLIC NOTICE PUBLIC NOTICE PUBLIC NOTICE PUBLIC NOTICE

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
ORDINANCE NO. : 619-2005
INTRO DATE: 9/29/05

NOTICE IS HEREBY GIVEN that the following proposed Ordinance was introduced and passed on the first reading at a Regular Meeting of the Board of Chosen Freeholders of the County of Union, New Jersey held on the **29th of September, 2005,** and that said Ordinance will be taken up for further consideration for final passage at a meeting of said Board to be held at its meeting room in the Administration Building, Elizabeth, New Jersey, on the **6th of October, 2005,** at **7:00 p.m.,** or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

A copy of this Ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Union County Administration Building of the County of Union and a copy is available up to and including the time of such meeting to the members of the general public of the County who shall request such copies, at the Office of the Clerk of the Board of Chosen Freeholders in said Administration Building, Elizabeth, New Jersey.

Nicole L. Tedeschi, Clerk of the Board of Chosen Freeholders

ORDINANCE PROVIDING THE CONSENT OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION TO THE ISSUANCE BY THE UNION COUNTY IMPROVEMENT AUTHORITY OF ITS NOT TO EXCEED $15,700,000 GENERAL OBLIGATION GUARANTEED LEASE REVENUE REFUNDING BONDS (LINDEN AIRPORT PROJECT) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING $15,700,000 FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY IN CONNECTION WITH THE AUTHORITY'S PROJECT

WHEREAS, the Union County Improvement Authority (the "Authority") has been duly created by a resolution of the Board of Chosen Freeholders (the "Board of Freeholders") of the County of Union, New Jersey (the "County"), as public body corporate and politic of the State of New Jersey (the "State") pursuant to in accordance with the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended and supplemented from time to time (the "Act"); and

WHEREAS, the City of Linden (the "City") undertook the redevelopment of the Linden Municipal Airport as a redevelopment project (the "Redevelopment Project"); and

WHEREAS, the Authority is authorized by law, specifically Section 11 of the Act (N.J.S.A. 40:37A-54(d)), to provide public facilities for the use of the County and municipalities and certain local governmental units located within the County (collectively, the "Local Units") including the City of Linden (hereinafter the "City") in connection with aviation; and

WHEREAS, the Local Units are authorized by law, specifically Section 35 of the Act (N.J.S.A. 40:37A-78), to enter into and perform any lease with the Authority for the lease to or use by the Local Units of all or any part of any public facility or facilities; and

WHEREAS, to provide for the financing of the Redevelopment Project, the City as lessor, and the Authority, as lessee, entered into a certain "Ground Lease Agreement" (the "Ground Lease"), pursuant to the terms of which the City leased to the Authority the real property upon which the Linden Municipal Airport is located and infrastructure thereon owned by the City, all of which is located in and around the Redevelopment Project (the "Linden Airport Project"); and

WHEREAS, the Authority, as lessor, and the City, as lessee entered into a "Property and Infrastructure Lease Agreement" (the "Lease"), pursuant to the terms of which the Authority leased back to the City the Authority's right, title and interest in and to the Linden Airport Project in exchange for payment by the City of certain general obligation lease payments, which lease payment secure the payment of the principal and redemption premium, if any, of and interest on the bonds of the Authority; and

WHEREAS, the Linden Airport Project was acquired and constructed with the proceeds of the Authority's "City of Linden General Obligation Guaranteed Lease Revenue Bonds, Series 1998 (Linden Airport Project)" (the "1998 Bonds") in an aggregate principal amount of $18,145,000; and

WHEREAS, the Authority has determined that certain savings can be achieved by refunding all or a portion of the 1998 Bonds (the "Refunding"); and

WHEREAS, the Authority intends to undertaking the Refunding through the issuance of one or more series of its "City of Linden General Obligation Guaranteed Lease Revenue Refunding Bonds (Linden Airport Project)" (the "Bonds") in an aggregate principal amount of not to exceed $15,700,000 which may be issued in one or more series; and

WHEREAS, the Bonds shall have such other terms as set forth in that certain Supplemental Bond Resolution authorizing the issuance of the "City of Linden General Obligation Guaranteed Lease Revenue Refunding Bonds (Linden Airport Project)" of the Union County Improvement Authority to be adopted by the Authority prior to the issuance of the Bonds (the "Supplemental Bond Resolution" which together with the initial bond resolution relating to the 1998 Bonds, and any amendments or supplements thereto in accordance with the terms thereof shall be collectively referred to as the "Bond Resolution"); and

WHEREAS, the Authority, as lessor, and the City, as lessee shall enter into a "First Supplemental Property and Infrastructure Lease Agreement" (the "First Supplemental Lease"), to amend certain terms of the Lease, including but not limited to the lease payments, which lease payment secure the payment of the principal and redemption premium, if any, of and interest on the bonds of the Authority; and

WHEREAS, the payment of the principal and redemption premium, if any, of and interest on the Bonds will be secured by certain general obligation lease payments of the City under the Lease as supplemented and amended, to be dated as of the first day of the month of issuance of the Bonds; and

WHEREAS, payment when due of the principal of (including sinking fund installments, if any) and interest on the Bonds shall be additionally secured by a full faith and credit, unconditional and irrevocably guaranty of the City in accordance with a guaranty ordinance to be finally adopted by the Municipal Council of the City and approved by the Mayor of the City and a guaranty certificate executed on the face of each Bond upon the issuance thereof by an authorized officer of the City (collectively, the "Guaranty"), all in connection with Section 37 ("Section 37") of the Act (N.J.S.A. 40:37A-80) and other applicable law; and

WHEREAS, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the Guaranty, the City shall be obligated, if necessary, to levy ad valorem taxes upon all the taxable property within the City without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds; and

WHEREAS, in order to market and sell the Bonds, (i) the Authority shall issue a Preliminary Official Statement (the "POS") and a final Official Statement (the "OS") , (ii) the Authority shall enter into a negotiated sale of the Bonds with one or more underwriters (collectively, the "Underwriter") pursuant to the terms of a bond purchase agreement (the "BPA"), (iii) the Authority, the City and the trustee for the Bonds, or any successor thereto in accordance with the terms of the Bond Resolution (the "Trustee") shall enter into a Continuing Disclosure Agreement (the "Continuing Disclosure Agreement") upon the issuance of the Bonds if necessary, convenient, useful or desirable in connection with Rule 15c2-12 promulgated by the Securities and Exchange Commission Act of 1934, as amended, or any successor rule or regulation thereto ("Rule 15c2-12"), (iv) the City shall make certain representations, warranties and covenants regarding, among other things, the Linden Airport Project and the Bonds in a Letter of Representation (the "City Letter") and a Tax Letter of Representation (the "City Tax Letter", and together with the City Letter, the "City Letters"), and (v) the City and the Authority shall take such actions and shall authorize, execute or acknowledge, as the case may be, and deliver such other documents, instruments or certificates as Bond Counsel to the Authority and to the City deem necessary, convenient, useful or desirable in order to issue the Bond (collectively, the "Certificate", and together with the Supplemental Bond Resolution, First Supplemental Lease Agreement, the Bonds, the Guaranty, the Bond Insurance Policy(if it is determined to insure the Bonds), the POS, the OS, the BPA, the Continuing Disclosure Agreement and the City Letters, the "Financing Documents"); and

WHEREAS, in order to induce the prospective purchasers of the Bonds to purchase same, the Bonds shall otherwise be secured by this ordinance unconditionally and irrevocably guaranteeing the principal of and interest on the Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80) (the "Guaranty"); and

WHEREAS, the Authority believes: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the County of Union; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing for the needs of the inhabitants of the County of Union and will not create an undue financial burden to be placed upon the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY, as follows:

Section 1. In accordance with Section 13 and all other applicable law, the Board of Freeholders hereby consents to (i) the Project and the financing of same, (ii) the execution and delivery by the Authority of the Financing Documents and such other documents as necessary and reasonable for the transaction, which documents shall be filed with the Clerk of the Board prior to the issuance of any Bonds, (iii) the adoption by the Authority of the Bond Resolution, and (iv) the issuance, sale and delivery of the Bonds to effect such purpose. The consent hereto given to the Financing Documents contemplates the insertion of the final financing terms.

Section 2. This ordinance shall take at the time and in the manner provided by law.

Section 3. Upon the adoption hereof, the Clerk of the Board of Freeholders shall forward certified copies of this ordinance to the County Manager, County Counsel, Executive Director of the Authority, and John G. Hudak, Esq., Frohling & Hudak, LLC, Bond Counsel to the Authority.

1 T - 10/6/05, The Leader Fee: $248.88