**COUNCIL MEETING**

**AGENDA**

**December 20, 2016**

**APPROVAL OF MINUTES**

**The Regular Meeting of November 22, 2016**

**PRESENTATIONS**

**Recognizing the Services of Councilman Donald Beyer**

**Recognizing Bruce Jenkins as 2016 Fifth Ward Good Neighbor**

**2016 Employee of the Year Roxy B. Billups, Jr.**

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**ORDINANCE CONTINUED FROM THE MEETING OF JULY 19, 2016**

#60-53Ordinance amending Chapter II, Department of Police, establishing the position of

Police Director and providing for the Directors duties and responsibilities.

**ORDINANCE CONTINUED FROM THE MEETING OF NOVEMBER 22, 2016**

#60-73An ordinance to amend and supplement Chapter II, administration.

Delete Section 2-27.3 Division of Public Works, ADD New Section 2-28, Department of Public Works. (as amended)

**ORDINANCES ON HEARING**

#60-77 An ordinance creating a Parking Authority in the City of Linden pursuant to P.L. 1948, c.198 (Parking Authority Law)

#60-78 An Ordinance to Amend and Supplement Chapter VII, Traffic, Section 7-14.4, Parking for Fire Department Use Only, shall be and the same is hereby amended as follows:

ADD:

Name of Street Side Location

E. Linden Avenue South From the projected curbline of S.

Wood Avenue to a point 175 feet

easterly

E. Morris Avenue North From the projected curbline of S.

Wood Avenue to a point 135 feet

easterly

S. Wood Avenue East From a point 75 feet from the

Projected curbline of E. Morris

Avenue to a point northerly

#60-79 An Ordinance to amend an ordinance entitled, “An Ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City of Linden.

Amending and modifying schedule 4-KK-7

#60-80 An Ordinance amending the Redevelopment Plan for the St. Georges Avenue Redevelopment Area – Phase II (amending use on certain parcels with the Redevelopment Area)

#60-81 An Ordinance to amend the Redevelopment Plan for the Linden Theater Redevelopment Area, pursuant to the Local Redevelopment and Housing law, N.J.S.A. 40A:12A-1 et seq. (revising the Redevelopment Plan)

#60-82 An Ordinance amending Chapter II, Administration of the Revised General Ordinances of the City of Linden, 1999, as amended pertaining to background checks of certain employees and volunteers in the city of Linden.

Delete Paragraph 1 of Section 2-27.4.1 in its entirety and add new Paragraph 1 of Section 2-27.4.1

Delete Paragraph 4 of Section 2-27.4.3 in its entirety.

**CONSENT AGENDA**

**(\*\*\*)** The amount of money collected during the month of November 2016 and turned over to the

1. treasurer’s office is as follows:

2017 Taxes $81,002.67

2016 Taxes $22,918,028.14

2015 Taxes $1,357.29

Garbage Fee Payments $85,656.29

Garbage Fee Penalty $6,710.00

Municipal Lien Redemption $1,577.46

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $60.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2017 (14.94)

Returned Check 2016 ($12,942.03)

Returned Check Interest ($27.19)

Returned Online Payment 2016 Taxes ($5,229.37)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($120.00)

Returned Check Garbage Fee Penalty ($10.00)

Adv. Before Tax Sale $0.00

Premium $0.00

Sewer Clean out charge $1,000.00

DPW Reso payments $150.00

Interest $29,713.98

Total $23,106,932.30

**Tax Sale** Requesting the refund of the premium paid at the 2014 & 2016 tax sale on the following blocks

& lots.

**Block Lot Redemption Date Cert# Premium**

25 7 11/10/16 15-00015 $1,900.00

52 12 11/10/16 15-00029 $1,300.00

53 4 12/2/16 15-00031 $1,000.00

103 20 11/10/16 15-00061 $1,900.00

148 7 11/10/16 15-00099 $1,800.00

149 21 11/10/16 15-00101 $1,300.00

167 6 11/10/16 15-00113 $1,900.00

192 14 11/10/16 15-00128 $1,800.00

212 6 11/23/16 13-00257 $1,300.00

238 34 11/10/16 15-00164 $1,300.00

291 8 11/10/16 15-00179 $1,400.00

377 13 11/10/16 15-00216 $1,300.00

385 23 11/10/16 15-00225 $1,700.00

471 13.02 11/10/16 15-00268 $4,000.00

472 20 11/29/16 15-00269 $13,900.00

475 31 11/10/16 15-00275 $2,400.00

495 12 11/10/16 15-00286 $1,200.00

506 9 11/10/16 15-00291 $1,300.00

507 12 11/10/16 15-00294 $1,300.00

547 10 11/10/16 15-00318 $25,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the

amount of $69,900.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

35 18 11/10/16 15-00021 $800.00

209 28 11/10/16 15-00145 $1,200.00

455 5 11/22/16 15-00258 $35,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $37,800.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

47 10 12/2/16 14-00041 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $900.00 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2008 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

51 3 12/1/16 07-00023 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $100.00 payable to: The Approved Realty Group, P.O Box 869, Lakewood, NJ 08701 charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

62 2 11/10/16 15-00033 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $200.00 payable to: Actlien Holding, US Bank Cust, Actlien Holding, Tower DBW VI 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

75 16 12/2/16 15-00045 $1,000.00

107 12 11/10/16 15-00066 $1,500.00

108 1 12/9/16 15-00068 $1,100.00

213 8 11/10/16 15-00148 $1,000.00

333 14 11/10/16 15-00200 $1,100.00

359 10 11/10/16 15-00209 $1,000.00

419 35 12/2/16 15-00241 $1,000.00

439 70 11/10/16 15-00249 $1,300.00

547 20 12/2/16 15-00319 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $10,000.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-6-01-55-276-999-956.

**Tax Sale Please see municipality spelling correction**

Requesting the refund of the premium paid at the 2014 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

100 11 11/9/16 13-00124 $30,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $30,000.00 payable to: 72 Oak Street Holdings, LLC, P.O. Box 653, **Montvale,** NJ 07645, charging same to account #6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

141 5 11/10/16 15-00093 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $200.00 payable to Trystone Capital Assets, LLC., 575 Route #-7, 2nd Floor, P.O. Box 103, Brick, NJ 08723, charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2014 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

297 8 12/1/16 13-00298 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $800.00 payable to: US Bank Cust for Pro Cap 4 & Crdtrs, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

309 2 12/2/16 15-00191 $3,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,600.00 payable to: KCC Promised Lands, LLC, 2560 Route 22 East, # 175, Scotch Plains, NJ 07076 charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

377 28 11/30/16 14-00255 $45,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $45,100.00 payable to: PFS Financial 1, LLC US Bank Custodian, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #6-01-55-276-999-956.

**Credit Balance** Cheryl A. Bragg, Block 156 Lot 3 - 719 Harrison Place

There now exists a credit balance on the above referenced block & lots due to the owner and the mortgage company paying creating the overpayment in the amount of $116.44 on the 2016 4th quarter.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $116.44 payable to: Cheryl A. Bragg, 719 Harrison Place, Linden NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Helen Cubala, Block 191 Lot 7 - 217 11st Avenue

There now exists a credit balance on the above referenced block & lots due to the owner paying online and again at the Tax Collectors window creating the overpayment in the amount of $1,868.47.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,868.47 payable to: Helen Cubala, 217 1st Avenue, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Marina Shiplova, Block 201 Lot 11 C0302 - 102 E. Elizabeth Avenue, Unit#-302

There now exists a credit balance on the above referenced block & lots due to the Title Agency overpaying the 2016 3rd quarter property taxed creating the overpayment in the amount of $816.81.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $816.81 payable to: Marina Shiplova. 102 E. Elizabeth Avenue, Unit # 302, Linden NJ 07036, charging same to account #-6-01-55-288-999-904.

**Veteran’s Deduction** Cancellation & Refund of Property Taxes - Block 305 Lot 13

Donald Lombardi, 231 Yale Terrace

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of July 21, 2016. Mr. Lombardi is entitled to the 100% Disabled Veteran Status for part of 2016 per Michael Frangella. The following is the amount billed that needs to be cancelled for 2016. This will be tax exempt going further. The property owner is entitled to a refund in the amount of $3,909.68

Partial 2015 July 21, 2016- December 31, 2016 **Refund $3,909.68**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,909.68 payable to: Donald Lombardi, 231 Yale Terrace, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Refund** Block 447 Lot 3.04, Mark Hunt - 130 Liberty Avenue

The above referenced owner’s old Mortgage Company and owner’s new mortgage company have paid a partial payment on the 2016 4th quarter property taxes creating this overpayment and the new owner’s mortgage company is entitled a refund in the amount of $1,000.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 1,000.00 payable to: Ocwen Loan Servicing, LLC, Tax/Escrow Dept, 1661 Worthington Road, Suite #-100, West Palm Beach, FL 33409, charging same to # 6-01-55-288-999-904.

**County Board Judgment** Block 40, Lot 3 - St. Georges/ Linden Ctr Associates

1600 E. St George Avenue

The above referenced property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 375,500 for the tax years 2012, 2013 & 2016 creating a total overpayment of $68,209.58 ($21,418.52, $22,285.93 & $24,505.13).

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $68,209.58 payable to: Bruce J. Stavitsky, Esq & St. Georges/Linden Center Assocaites, LP, 350 Passaic Avenue, Fairfield, NJ 07004, charging same to account #6-01-55-275-999-000.

**County Board Judgment** Block 338, Lot 5 - BBP Real Estate, LLC

324-340 W. St. George Avenue

The above referenced property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 125,000 for the tax years 2014, 2015 & 2016 creating a total overpayment of $23,697.50 ($7,693.75 , $7,46.25 & 8,157.50).

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $23,697.50 payable to: Zipp, Tannenbaum & Caccavelli, LLC Attorney Trust Account, 280 Raritan Center Parkway, Edison, NJ 08837, charging same to account #6-01-55-275-999-000.

**County Board Judgment** Block 432 Lot 2.01 - NELS Property Holdings, LLC

2400 E. Linden Avenue

The above referenced property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 639,500 for 2015 & 723,600 for 2016 creating a total overpayment of $87,363.56 ($40,141.42 & 47,222.14).

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $87,363.56 payable to: Greer Scocca & Lau, LLC, Attorney Trust Account and NELS Holdings, LLC, 525Route # 73, Suite #-309, Marlton, NJ 08053, charging same to account #6-01-55-275-999-000.

**Tax Court Judgment** Block 436 Lot 6 - 1420 E. Linden Avenue Realty, LLC

1420 E. Linden Avenue

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 51,700 for the tax years 2013 & 2014 creating a total overpayment of $6,250.54 ($3,068.40 & 3,182.14).

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,250.54 payable to: Michael I. Schneck, Trustee for 1420 E. Linden Avenue Realty, LLC, 301 South Livingston Avenue, Suite #105, Livingston, NJ 07039 charging same to account #6-01-55-275-999-000.

**(\*\*\*) MUNICIPAL TREASURER:**

1. Requesting approval of the following reimbursements:
   1. Oscar Ins Corp is entitled to a refund in the amount of $348.54 for service that was provided on 7/12/2016.

Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Oscar Ins Corp, PO Box 278, New York, NY 10013 charging same to 6-01-08-629-011.

* 1. United Healthcare Ins. Co is entitled to a refund in the amount of $481.37 for service that was provided on 6/29/2016.

Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: United Healthcare Ins. Co., PO Box 740800, Atlanta, GA 30374 charging same to 6-01-08-629-011.

**(\*\*\*) MUNICIPAL TREASURER:**

1. Advising that the following City of Linden employee has filed for retirement:

Department Employee Title Date

Public Property Wayne Olesinski Sr. Rec. Maint. Worker Dec. 1, 2016

**(\*\*\*) MUNICIPAL TREASURER:**

1. Advising that under Chapter 88, 54 & 436, the City of Linden reimburses

retired employees for the monthly premiums which the retiree paid to Social Securityfor his/her Part B coverage, and that of his/her spouse, under the Federal Medicare Program. Total reimbursements $226,134.50. (List is on file in the City Clerk’s Office).

**RESOLUTIONS**

* 1. Resolution authorizing the transfer of 2016 appropriations in accordance with the provisions of N.J.S.A. 40A:4-58.
  2. Resolution authorizing an agreement with the County of Union for a deer control program in the City of Linden.
  3. Resolution qualifying certain professionals, through a Fair and Open Process for the calendar year 2017.
  4. Resolution accepting an Emergency Management Performance Grant program EMAA funding for fiscal year 2016 in the amount of $9,400.00 on behalf of the Office of Emergency Management.
  5. Resolution appointing Richard Davis as Deputy Coordinator of the Office of Emergency management for a term commencing December 1, 2016 and terminating November 30, 2019, or until his successor shall be appointed and qualified.
  6. Resolution authorizing the Tax Collector to forward monies, in the amount of $503.44, to the lien holder Amaco for Block 200 Lot 16 C2036.
  7. Resolution approving a contract with Saile Environmental Engineering & Design, in the amount of $30,735.00 for creation of a Classification Exemption Area at the Municipal Garage, 1901 Lower Road.
  8. Resolution supporting the Drive Sober or Get Pulled Over 2016 yearend holiday crackdown.
  9. Resolution ratifying certain payments made by the Municipal Treasurer’s office during the month of November, 2016 which do not appear on the claims list.
  10. Resolution amending an agreement with Edward Kologi of the firm Kologi-Simitz, in the amount of $2,000.00, for work related to a matter before the Local Ethics Board in the Department of Community Affairs. The total amount of the contract, inclusive of this change is $13,798.37.
  11. Resolution amending a contract with CME Associates, in the amount of $168,904.00 to provide for services related to the Underground storage tank investigation at the John Street Multipurpose Center, inclusive of this amount the total value of the services related to this matter is $246,190.00.
  12. Resolution amending a contract with CME Associates, in the amount of $34,000.00 for the design, permitting and inspection of two generators for City Hall and the JTG Center, inclusive of this amount the total value of this contract is $75,925.00.
  13. Resolution authorizing liens being placed on various premises for work completed by the Department of Public Works and Division of Public Property in the City of Linden.
  14. Resolution requesting the Director of the Division of Local Government Services approve the insertion of an item of revenue in the budget for the year 2016 in the sum of $5,000.00, for Drive Sober or Get Pulled Over.
  15. Resolution accepting the resignation of Barry Javick as a member of the Rent Leveling Board, effective December 20, 2016.
  16. Resolution accepting the resignation of Barry Javick as a member of the Zoning Board of Adjustment, effective December 20, 2016.
  17. Resolution appointing Andrew Beno as a member of the Zoning Board of Adjustment to fill the unexpired term of Richard Guerra that commenced January 1, 2016 and terminates December 31, 2019.
  18. Resolution appointing Anthony Patti as Alternate No. 1 member of the Zoning Board of Adjustment to fill the unexpired term of Barry Javick, that commenced January 1, 2016 and terminating December 31, 2017.
  19. Resolution appointing Richard Koziol as Alternate No. 2 member of the Zoning Board of Adjustment to fill the unexpired term of Andrew Beno, that commenced January 1, 2016 and terminating December 31, 2016.
  20. Resolution for the purchase of additional body cameras and required infrastructure from Taser International under State Contract No. 81321 in an amount not to exceed $47,914.13.
  21. Resolution amending resolution #2016-393 authorizing the cancelation of Tax Sale Certificate Premium monies to correct the amount to be canceled to $10,100.00.
  22. Resolution Recognizing Bruce Jenkins as 2016 Fifth Ward Good Neighbor.
  23. Resolution honoring Donald Beyer for his dedicated service as Councilman of the Second Ward.
  24. Resolution approving and adopting the City of Linden, Department of Public Works, Rules, Regulations and Policies.
  25. Resolution qualifying certain professionals for vacant and abandoned property services for 2017.
  26. Resolution awarding a contract to Property Pilot, LLC, at a fee not to exceed $17,000.00 for the GIS Municipal Management System for various departments.
  27. Resolution terminating the public restroom lease agreement between the City of Linden and Northwood Avenue LLC located at Block 212, Lots 24.05 and 24.06 (Bauer Promenade – rear office building).
  28. Resolution designating a redeveloper, Northwood Avenue LLC, and authorizing the execution of the second amended redevelopment agreement relating to the property commonly known as Block 212, Lots 24.05 and 24.06 (Bauer Promenade – rear office building)

**ORDINANCES ON INTRODUCTION**

There are no ordinances on introduction.