**COUNCIL MEETING**

**AGENDA MAY 17, 2016**

**APPROVAL OF MINUTES**

**Regular Meeting Minutes**

**Of April 19, 2016**

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**PRESENTATIONS**

**GUN VIOLENCE AWARENESS DAY**

**June 2, 2016 “Wear Orange”**

**Mayor Armstead to the Family**

**of the late “Marian Holmes aka Kitty”**

**Preeclampsia Month**

**Stephanie Feuerschwenger**

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**ORDINANCE – HEARING**

**#60-28** Bond Ordinance providing an appropriation of $157,300.00 for the acquisition of command vehicles for the Fire Department and authorizing the issuance of $149,435.00 in bonds or notes to finance part of the appropriation.

**#60-29** Bond Ordinance providing an appropriation of $99,000.00 for the acquisition of various firefighting equipment and authorizing the issuance of $94,050.00 bonds or notes to finance part of the appropriation.

**#60-30** An Ordinance to amend and supplement Chapter XXVI, Flood Damage Protection, by adding Article IV.

**#60-31** An Ordinance to amend and supplement Chapter VII, Traffic. Amending 7-10 Parking Prohibited at all times on Certain Streets, as follows:

Add:

Name of Street Side Location

North Stiles St South From the easterly curbline of Amon Terrace

To a point 150 feet westerly

North Stiles St. North From the projected easterly curbline of

Amon Terrace to a point 150 feet easterly

**#60-32** An Ordinance to amend and supplement Chapter VII, Traffic, Amending 7-12, Parking time limited as follows:

Two Hour Parking

ADD:

Street Side Hours Days Location

Grier Ave North 8:00 am to 6:00 pm Mon-Fri From S. Park to

Worth Ave.

**#60-33** An Ordinance to amend and supplement Chapter VII, Traffic, Amending 7-22.1 Four-way stop intersections

Intersection Stop Signs to be located on:

ADD:

E. Curtis St. and Maple Ave E. Curtis Street and Maple Avenue

Maple Avenue and E. Curtis St.

**#60-34** An ordinance extending Rent Control in the City of Linden from April 19, 2016 to April 18, 2018.

**#60-35** An ordinance to amend and supplement Chapter X, Building and Housing, by adding Section 10-2.1B, Cancelation of Construction permits; refunds.

**#60-36** A Guaranty ordinance regarding the payment of the principal of and interest on certain City Guaranteed Lease Revenue Bonds, Series 2016 (City of Linden, Omnibus Revenue Refunding Project) of the Union County Improvement Authority in an aggregate principal amount not exceeding $28,000,000.00 for the purpose of providing additional security in connection with the Authority’s aforementioned bonds.

**#60-37** An ordinance authorizing the execution or acknowledgment and delivery by the City of Linden of certain agreements in connection with the Union County Improvement Authority’s City Guaranteed Lease Revenue Bonds Series 2016 (City of Linden Omnibus Revenue Refunding Project).

**#60-38** 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 Employee of the City of Linden.” Amending and modifying Schedule 4-KK-2.

**#60-39** Bond Ordinance providing an appropriation of $170,000.00 for the acquisition of Park Equipment in Dr. Martin L. King, Jr. Memorial Park and authorizing the issuance of $90,250.00 bonds or notes of the City for financing part of the appropriation.

**#60-40** An Ordinance adopting a redevelopment plan for the properties identified on the tax map of the City of Linden as Block 288, Lots 1, 2, 13,14 and 15, Block 254, Lots 12, 13, and 16.

**CONSENT AGENDA**

**(\*\*\*) TAX COLLECTOR:**

1. The amount of money collected during the month of April 2016 and turned over to the treasurer’s office is as follows:

2016 Taxes $12,180,310.75

2015 Taxes $373,301.96

2014 Taxes $0.00

Garbage Fee Payments $148,425.54

Garbage Fee Penalty $10,090.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $50.00

Year End Penalty $3,953.32

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2015 ($0.00)

Returned Check 2016 ($20,679.58)

Returned Check Interest ($3.78)

Returned Online Payment 2016 Taxes ($1,006.68)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($590.00)

Returned Check Garbage Fee Penalty ($30.00)

Adv. Before Tax Sale $6,788.54

Sewer Clean out charge $1,100.00

DPW Reso payments $552.40

Interest $38,741.18

Total $12,741,043.65

**Tax Sale R**equesting the refund of the premium paid at the 2014 & 2015 tax sale on the following

block & lot.

**Block Lot Redemption Date CTF# Amount**

8 16 4/13/16 13-00009 $100.00

321 1 4/21/16 14-00228 $10,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $10,700.00 payable to US Bank Cust BV Trst 2015-1, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, 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**

13 3 4/14/16 13-00016 $21,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $21,400.00 payable to FNA Jersey Lien Services, LLC, 575 Route # 70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723 ,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**

27 12 4/25/16 14-00023 $2,400.00

390 25 4/14/16 14-00267 $7,600.00

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: 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.

**Tax Sale** Requesting the refund of the premium paid at the 2014 & 2015 tax sale on the following

block & lot.

**Block Lot Redemption Date CTF# Amount**

74 6 4/25/16 14-00058 $1,600.00

123 3 4/14/16 13-00161 $4,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,000.00 payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 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**

77 19 4/14/16 14-00063 $900.00

388 31 4/5/16 14-00262 $900.00

389 31 4/15/16 14-00266 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,700.00 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 2014 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

155 4 5/3/16 13-00202 $1,300.00

188 20 4/6/16 13-00232 $1,300.00

280 15 4/21/16 13-00290 $1,400.00

537 6 4/28/16 13-00453 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,000.00 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 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

137 10 4/5/16 14-00103 $200.00

356 45 4/27/16 14-00245 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $400.00 payable to: Public Tax Investments, LLC, 575 Route 70, 2nd Floor, Brick, NJ, 08723, charging same to account #-6-1-55-276-999-956.

**Credit** Block 66 Lot 11, 5001 Chandler Avenue

**Balance**

There now exists a credit balance on the above referenced block & lot due to an overpayment by Mortgage Company on the 2016-2nd quarter. The overpayment amount is $1,507.38.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,507.38, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904..

**Credit** Block 76 Lot 9, 1147 Monmouth Avenue

**Balance**

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage Company and the owner paying a partial payment for the 2015 4th quarter in the amount of $700.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $700.00, payable to: Martel & Marie S. Pierre, 1147 Monmouth Avenue, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit** Block 268 Lot 10, Old Owner: Carmine Cerasa

**Balance** New Owner: Mark A. & Carla Williams - 1802 Summit Terrace

There now exists a credit balance on the above referenced block & lot due to an overpayment by old owners Mortgage Company and the Attorney for the new owner on the 2015-4th quarter. The overpayment amount is $2,183.01.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,183.01, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904..

**Credit** Refund of Overpayment, Due to Homestead Benefit Credit

**Balance** Block 322 Lot 8, 322 Springfield Road

There now exists a credit balance on the above referenced block & lot due to the payment of the 2016 2nd taxes prior to the Homestead Benefit Credit being issued by the State of New Jersey. Required the Homestead Benefit Credit was applied to the 2016 2nd quarter.

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

in the amount of $528.20payable: Elizabeth Busko & Elaine C. Roman, 128 N. Grant Avenue, Colonia, NJ 07067 refunds charging same to account # 6-01-55-288-999-904.

**Credit** Daniel H. Vaniska, Block 369 Lot 24

**Balance** 633 Fairway Road

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage Company and the owner paying the 2016 1st quarter twice in the amount of $2,570.44.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,570.44, payable to: Daniel H. Vaniska, 633 Fairway Road, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Advising that the following bingo/raffle applications have been submitted for approval:

**Raffle Application Organization** **Event** **Fees**

RA-1512 Kiwanis Club 50/50 $20.00

RA-1513 Kiwanis Club Prize $20.00

RA-1514 Loyal Order of Moose Pull Tabs $750.00

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

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

**Department** **Employee** **Title** **Date**

Police Dept. Maria Luciano Principal Clerk June 1, 2016

**(\*\*\*) VIETNAM VETERANS OF AMERICA:**

1. Requesting approval to hold a Car Show on June 12, 2016 between the hours of 10am and 5pm in Aviation Parking Lot, 701 W. Edgar Road. The event will support the Vietnam Veterans of America Organization. Contingent upon approval of the certificate of liability insurance by the Municipal Attorney.

**(\*\*\*)**  **FIRST BAPTIST CHURCH:**

1. Requesting approval to hold a block party on the following dates and requesting permission to close Dill Avenue between Carnegie and Lincoln Street:

June 4, 2016 11am to 6pm

August 13, 2016 11am to 6pm

August 14, 2016 9am to 1:30pm

**(\*\*\*) MAYOR DEREK ARMSTEAD, PLANNING BOARD APPOINTMENT:**

1. Advising that he is appointing the following individual to serve on the Planning Board:

Alex Lospinoso, effective immediately and terminating December 31, 2018 to fill the unexpired term of Michael Aneson.

**(\*\*\*) MAYOR DERK ARMSTEAD, MAYOR’S YOUTH COMMISSION APPOINTMENT:**

1. Advising that he is appointing the following individuals to serve on the Mayor’s Youth Commission:

To serve a one (1) year term effective April 1, 2016 and terminating March 31, 2017

Sy Meyerson – Linden High School E-Map Program

Dianne Blazier-Jioso – Linden High School E-Map Program

Advising that he is reappointing Lisa Ormon, 901 Summit Street, Linden, NJ to serve a one (1) year term effective April 1, 2016 and terminating March 31, 2017.

Advising that he is appointing Detective Lt. Arian Fernandez to fill the unexpired term of Lt. Keith Aslin who has retired. His term shall be effective immediately and terminates March 31, 2018.

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

1. Requesting approval of a refund in the amount of $323.50 for service that was provided on 12/10/2015. Authorizing the treasurer to issue a check payable to Aetna, Inc., PO Box 14079, Lexington, KY 40512-4079 and charging same to account 6-01-08-629-011.

**RESOLUTIONS**

**Public comments will be permitted for those specific resolutions to be removed from the consent approval. Please read the synopsis of the resolutions, which have been prepared by the City Clerk’s office. Each is informative and self- explanatory. However, if you wish to address a specific resolution, the Council, will entertain questions on it.**

* 1. Resolution declaring radio communication equipment surplus and authorizing its sale/disposal in accordance with N.J.S.A. 40A:11-36.
  2. Resolution declaring certain vehicles/equipment surplus and authorizing its sale/disposal in accordance with N.J.S.A. 40A:11-36.

2016-196 Resolution awarding a contract to Linden Express Wash at their low quote in an amount not to exceed $17,000.00.

* 1. Resolution approving certain payments made by the Municipal Treasurer for the month of April, 2016 that do not appear on the Claims List.
  2. Resolution appointing Elizabeth Cornwell a member of the Linden Board of Alcoholic Beverage Control for a three year term commencing June 17, 2016 and terminating June 16, 2019, or until her successor is appointed and qualifies.
  3. Resolution approving the award of a contract for the purchase of fitness equipment, for the Public Property Department to Universal Fitness at their total bid of $73,225.00.
  4. Resolution approving a contract with Harbor Consultants, Inc. for land surveying services at Memorial Park Ball Fields at a fee not to exceed $2,860.00.
  5. Resolution authorizing a Hold Harmless Agreement with MIG Consulting, LLC to provide them with site access to install a monitoring well and provide for its monitoring at 12 N. Stiles Street.
  6. Resolution approving a contract with the Musial Group Architecture for an assessment and planning study for improvements of police headquarters, in accordance with their proposal dated March 8, 2016 at a fee not to exceed $46,500.00.
  7. Resolution approving a contract with Pennoni Associates, Inc. for environmental services Phase I Environmental Site Assessment at 1100 E. St. Georges Ave in accordance with their proposal dated April 25, 2016 at a fee not to exceed $2,200.00.
  8. Resolution rescinding resolution No. 2016-158 authorizing the cancelation of tax sale certificate premium monies passed April 19, 2016 and approved April 20, 2016.
  9. Resolution supporting the submission of an application to the New Jersey Department of Transportation Safe Routes to School Program along the school route for School #2.
  10. Resolution offering employee inducement to waive health benefits for 2016 in accordance with the provisions of Chapter 2, P.L. 2010.
  11. Resolution authorizing the tax collector to forward $506.08 to the lien holder, Amaco, for Block 200, Lot 16 C2026.
  12. Resolution authorizing an amendment to the agreement appointing Eric Bernstein, Esq. of Eric Bernstein & Associates, LLC for the representation of the Mayor and certain members of the governing body in an amount of $5,000.00. Inclusive of these additional funds the total expenditures paid to date for said purpose is an amount not to exceed $16,000.00.
  13. Resolution authorizing an amendment to the agreement appointing McManimon, Scotland & Baumann special redevelopment counsel and approving an additional amount not to exceed $10,000.00. Inclusive of these additional funds the total expenditures paid to date for said purpose is an amount not to exceed $262,686.04.
  14. Resolution amending Resolution No. 2016-168 authorizing an interlocal services agreement with the County of Union to reduce the fee by $628.92.
  15. Resolution authorizing Trinitas Regional Medical Group to provide an Employee Assistance Program for the period January 1, 2016 to December 31, 2016 at a cost not to exceed $12,000.00.

2016-212 Resolution approving the renewal of a shared services agreement for solid waste services for the disposal of Type2 13 and 23 waste with the Plainfield Municipal Utilities Authority.

* 1. Resolution authorizing the cancellation of uncashed claims checks.
  2. Resolution authorizing the donation of one (1) 1992 Ford Van to the Winfield Police Department.
  3. Resolution authorizing the cancelation of Tax Sale Certificate #12-00109 on Block 144, Lot 14.
  4. Resolution declaring June 2, 2016 National Gun Violence Awareness Day and supporting the “Wear Orange” campaign.
  5. Amend Safe and Secure Communities Grant $60,000.00 to include a matching grant.
  6. Resolution requesting the Director of the Division of the Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $5,000.00 which item is now available as a revenue from: Click It or Ticket 2016 Memorial Day.
  7. Resolution accepting the resignation of Solomon Bray as a member of the Housing Authority of the City of Linden effective immediately
  8. Resolution appointing Gary Mannuzza a member of the Housing to fill the vacancy created by the resignation of Solomon Bray effective immediately and terminating June 14, 2017.
  9. Resolution approving a shared services agreement for a Resource Officer (police officer) at Linden High School with the Board of Education for the 2016-2017 School year.

2016-222 Resolution awarding a contract to Atlantic Coast Fibers for a five year period commencing May 17, 2016 and terminating May 16, 2021 for the marketing of class “A” recyclables.

2016-223 Resolution requesting Planning Board review of a resolution designating the property commonly known on the City’s tax maps as Block 469, Lots 1, 2,, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,17, 18, 19, 20, 21, 22, 23, 24, 25, 26.01, 27.01, 29, 29.01, 31.01, 33,34, 35, 26, 38.01, 30.04, 40, 41, and 42 as an ‘Area in need of Rehabilitation’ pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

* 1. Resolution authorizing Emergency Appropriation pursuant to N.J.S.A. 40A:4-46 due to insurance claims in the amount of $1,235,000.00
  2. Resolution authorizing the sale of notes to cover the Emergency Appropriation for insurance Claims.
  3. Resolution requesting the Director of the Division of the Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $82,892.34 which item is now available as a revenue from: Clean Communities FY 2016 Grant.

**PROPOSED ORDINANCES FOR FIRST READING**

#60-41 A bond ordinance providing an appropriation of $121,000.00 for the acquisition of firearms and associated equipment for the Police Department and authorizing the issuance of $114,950.00 bonds or notes of the City for financing part of the appropriation.

#60-42 A bond ordinance providing an appropriation of $1,177,700.00 for the Engineering Department and authorizing the issuance of $1,118,150.00 bonds or notes to finance part of the cost thereof.

#60-43 An ordinance to amend and supplement Chapter X, Building and Housing:

Delete - Section 10-30, vacant and abandoned property management and registration.

Add – New section 10-30, vacant and abandoned property management and registration.

#60-44 An ordinance to amend and supplement Chapter VII, Traffic, as follows:

Add:

Street Side Hours Days Location

Exeter Road South 7:00 am to 11:00 am Mon From Princeton Rd to

Princeton Rd.

#60-45 An ordinance to amend and supplement Chapter VII, Traffic as follows:

Add to 7-15.1d Teacher Permit Parking only:

Street Side Hours Days Location

Orchard Terrace West 7:00 am to 5:00 pm Monday – From a point 45 feet

Friday north of W. St. Georges

Avenue to a point 670

Feet north of W. St. Georges Avenue

#60-46 An ordinance to amend and supplement Chapter VII, Traffic as follows:

Add 7-33.1A Handicapped Parking On-Street;

**7-33.1A Handicapped Parking On-Street**

*No. of*

*Name of Street Spaces Location*

**ADD:**

837 Seymour Avenue 1 On the southwesterly sideline of Seymour Avenue, 71 feet more or less northwesterly from the projection of the northwesterly curbline of Rose Parkway, in front of 837 Seymour Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Dianna Dertinger identified by license plate number and a placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

823 Middlesex St. 1 On the northwesterly sideline of Middlesex Street, 236 feet more or less northeasterly from the projection of the northeasterly curbline of McCandless Street in front of 823 Middlesex Street for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Alfonzo Copes to be identified by license plate number and a placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

719 Bacheller Ave 1 On the northeasterly sideline of Bacheller Avenue, 198 feet more or less northwesterly from the projection of the northwesterly curbline of Grier Avenue in front of 719 Bacheller Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Mieczyslaw Dziadosz to be identified by license plate number and a placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

#60-47 An ordinance adopting a redevelopment plan for Block 496, Lot 3 Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

#60-48 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 Schedule 4-KK-3.

#60-49 An ordinance to amend and supplement Chapter 7-15.1 entitled, “Parking By Permit only in designated residential areas” as follows:

ADD: 7-15.1(c) Parking Decals