**COUNCIL MEETING AGENDA**

**FEBRUARY 21, 2017**

**APPROVAL OF MINUTES**

**The Regular Meeting**

**January 17, 2017**

**ORDINANCE ON HEARING**

#61-2 An Ordinance to amend and supplement Chapter VII, Traffic. Amending Chapter VII, Traffic 7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking On-Street

Name of Street Spaces

DELETE

1. . 10th St. 1

1400 Eddy Avenue 1

#61-3 An ordinance repealing Ordinance No. 60-76 entitled, “an ordinance to amend and supplement Chapter VII, Traffic, of an ordinance adopting and enacting the revised general ordinances of the City of Linden, 1999” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented.”

#61-4 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,” passed August 15, 1995 and approved August 16, 1995.

Amending and modifying Schedule 4-LL-1

**CONSENT AGENDA**

**(\*\*\*) Tax Collector:**

1. The amount of money collected during the month of January 2017 and turned over to the treasurer’s office is as follows:

2017 Taxes $13,405,530.72

2016 Taxes $452,419.71

2015 Taxes $250.00

Garbage Fee Payments $41,050.05

Garbage Fee Penalty $2,925.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $10.00

Lien Redemption Request Fee $0.00

Year End Penalty $4,346.81

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2017 (4,708.62)

Returned Check 2016 ($0.00)

Returned Check Interest ($189.76)

Returned Online Payment 2016 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($60.00)

Returned Check Garbage Fee Penalty ($5.00)

Adv. Before Tax Sale $0.00

Premium $0.00

Sewer Clean out charge $1,750.00

DPW Reso payments $0.00

Interest $25,125.92

Total $13,928,464.83

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

block & lot.

**Block Lot Redemption Date CTF# Amount**

35 16 2/10/17 13-00042 $1,000.00

105 4 1/11/17 15-00063 $1,100.00

500 3 1/18/17 15-00287 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,500.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-7-01-55-276-999-956.

**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**

103 16 1/31/17 13-00127 $2,200.00

545 31 1/20/17 14-00335 $1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,700.00, payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-7-01-55-276-999-956.

**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**

203 18 1/31/17 15-00141 $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 PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**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**

285 5 1/17/17 15-00178 $2,700.00

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 BV002 Trst & Crdtrs, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**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**

485 26 2/3/17 14-00308 $13,900.00

563 19 1/31/17 14-00356 $20,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $34,500.00 payable to: PFS Financial 1, LLC US Bank Custodian, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #7-01-55-276-999-956.

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

& lots.

**Block Lot Redemption Date Cert# Premium**

553 3 1/31/17 15-00327 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,300.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #7-01-55-276-999-956.

**Overpayment** Block 59 Lot 12, Arthur Rodrigues & Cleonice Paixao

1318 Essex Avenue, 2016 4th qtr overpayment

The above referenced owner’s Mortgage Company and abstract company have paid the 2016 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $2,655.48.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 2,655.48 payable to: Arthur Rodrigues & Cleonice Paixao, 1318 Essex Avenue, Linden, NJ 07036, charging same to # 6-01-55-288-999-904.

**Credit Balance** Andrea Paul, Block 83 Lot 9 - 1162 Union Street

There now exists a credit balance on the above referenced block & lots due to the owner paying a partial for the 2017 1st quarter property taxed creating the overpayment in the amount of $183.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $183.00 payable to: Andrea Paul. 1162 Union Street, Linden NJ 07036, charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block 137 Lot 5, Janitha Jenkins - 731 E. Henry Street

There now exists a credit balance on the above referenced block & lots due to the owner’s mortgage company and the lender services paying the 2016 4th quarter property taxed creating the overpayment in the amount of $2,309.87.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,309.87 payable to: Janitha Jenkins, 731 E. Henry Street, Linden NJ 07036, charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block 212 Lot 34, 438 N Wood Avenue - Incorrect Garbage Fee Billing

There now exists a credit balance on the above referenced block & lot due to a property being billed a commercial garbage fee but has private commercial pick up per documentation provided from the owner. The property owner has paid the entire amount due and is entitled to a refund of $1,260.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,260.00 payable to: Estate of Peter Cicila, 31 Harvard Road, Linden, NJ 07036 charging same to account #7-01-08-607-011.

**Overpayment** Block 215 Lot 56, Former Owner: Jeffrey Michael

Current Owner: Ildiko Czako - 32 Pallant Avenue

The above referenced owners Mortgage Company and the new owner’s title agency have paid the 2015 3rd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $1,885.85.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,885.85, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 231 Lot 11, Old Owner: Rose La Porta

New Owner: Johann Restrpo & N. Malczynska - 58 Melrose Terrace

The above referenced old owner’s Mortgage Company and new owner’s mortgage company have paid the 2015 4th quarter property taxes creating this overpayment and the new owner’s mortgage company is entitled a refund in the amount of $1,810.96.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,810.96 payable to: Lereta, LLC, Returns & Refunds, 1123 Park View Drive, Covina, CA 91724 charging same to # 7-01-55-288-999-904.

**Credit Balance** Block 285 Lot 15, Joel A. Maldonado - 318 Spruce Street

There now exists a credit balance on the above referenced block & lots due to the Title Agency and the owner’s mortgage company paying the 2016 4th quarter property taxed creating the overpayment in the amount of $3,734.01.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,734.01 payable to: Joel A. Maldonado, 318 Spruce Street, Linden NJ 07036, charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block 349 Lot 6, Former owner: Caleb III & Janice Brown

New Owner: Jonathan Ruiz, 904 W. Elm Street

There now exists a credit balance on the above referenced block & lots due to the abstract company the former owners’ mortgage company paying the 2017 1st quarter property taxed creating the overpayment in the amount of $1,889.28.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,889.28 payable to: Caleb III & Janice Brown, 851 Lindegar Street, Linden NJ 07036, charging same to account #-7-01-55-288-999-904.

**Refund of Cancelled Taxes -** Block 410 Lot 13, Francisco A. Guzman

1821 N. Stiles Street

Requesting your approval to refund 2016 overpayment of taxes on the above referenced block & lot in the amount of $3,424.65 as this property owner has been granted a 100% Disabled Veteran Status.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,424.65 payable to: Chase Attention: Refund Dept, P.O. Box 961227, Ft. Worth, TX 76161-0227, charging same to account #7-01-55-288-999-904.

**Credit Balance** Blk-470 Lot(s) 7.01 & 7.02 – Duke Linden, LLC

7.01-301 Pleasant Street

7.02-701 Pleasant Street Combined Lots

There now exists a credit balance on the following block & lots due to the sub-division and block and lot number changes .There is now a credit in the amount of $58,043.42

Blk-470 Lot-7.01 $15,692.50

Blk-470 Lot-7.02 $42,350.92

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $58,043.42 payable to: Duke Realty, 600 East 96th Street, Suite #100, Indianapolis, IN, 46240, charging same to account #6-01-55-288-999-904.

**Overpayment** Block 533 Lot 5, Former Owner: Jaime Cartagena

Current Owner: Mohammad F. Alli

32 E 12th Street

The above referenced owners Mortgage Company and the new owner’s Attorney have paid the 2014 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,279.63.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,279.63, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

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

1. Requesting approval of the following refunds:
2. Horizon BCBS NJ is entitled to a refund in the amount of $164.80 for service that was provided on 2/1/2016. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420.
3. United Healthcare Community Plan is entitled to a refund in the amount of $61.00 for service that was provided on 12/5/2016. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to United Healthcare Community Plan, PO Box 7550, Phoenix, AZ 85011.
4. CSDCMAC, Juanita Campbell is entitled to a refund of $35.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was already completed and paid for by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $35.00 payable to Juanita Campbell, 842 Erudo Street, Linden, NJ 07036.

**(\*\*\*) CITY CLERK:**

1. Requesting approval of the follow bingo/raffle applications which were submitted to the

Clerk’s Office:

Application Number Applicant Game Fees Collected

RA-1602 Highland Avenue PTA 50/50 $20.00

RA-1603 Highland Avenue PTA Tricky Tray $20.00

RA-1604 School #9 PTA 50/50 $20.00

RA-1605 School #9 PTA Tricky Tray $20.00

**(\*\*\*) MAYOR DEREK ARMSTEAD:**

1. Advising that he has reappointed the following individuals to the listed Board:

Local Assistance Board

Jeffrey Krowicki 1/1/2017 – 12/31/2018

Library Board

Robert Ayres 1/1/2017 – 12/31/2021

Planning Board

Reappointments:

Michael Anderson, Alternate #1 effective January 1, 2017 and terminating December 31, 2018.

Noya Edem, Alternate #2 effective January 1, 2017 and terminating December 31, 2018.

Armand Fioletti effective January 1, 2017 and terminating December 31, 2018.

Appointing:

Alan Fish effective January 1, 2017 and terminating December 31, 2020.

Felipe Cabezas effective January 1, 2017 and terminating December 31, 2020.

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

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

Department Employee Title Date

Fire Department Andrew Clinebell Fire Captain March 1, 2017

**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 approving the submission of a grant application and the execution of a grant agreement with the New Jersey Department of Transportation for the Elizabeth Ave Streetscape and pedestrian safety Improvements project.
  2. Resolution approving certain payments made by the Municipal Treasurer during the month of January, 2017, which do not appear on the claims list.
  3. Resolution approving the award of a contract to Pascack Data Services, at their bid of $67,413.57 for a Leibert Cooling System.
  4. Resolution allowing Land Resource Solutions, LLC, to conduct a feasibility study of the City’s Landfill Master Plan, at no cost to the City.
  5. Resolution approving the submission of a grant application and the execution of a grant contract with New Jersey Department of Transportation for the Highway Safety Fund application 2016 project.
  6. Resolution amending a contract with the New Jersey Audubon Society, steward of the Linden Landfill to provide for additional funds for Tasks 1-6 in the amount of $28,260.00.
  7. Resolution approving a contract with Remington, Vernick & Arango Engineers for maintaining tax maps for the year 2017 in an amount not to exceed $2,000.00.
  8. Resolution to rescind Resolution No. 2016-250 entitled, “Resolution awarding the lease of property known as 384 N. Wood Avenue to ABA Equities, LLC in the City of Linden and Rescinding Resolutions No. 2012-220 and 2012-231” passed June 21, 2016 and Approved June 22, 2016.
  9. Resolution qualifying certain professionals to provide services for special counsel and engineering and environmental landfill services.
  10. Resolution declaring certain items surplus and authorizing their sale or disposition as they are not needed for government use. (Various books in the Law Department)
  11. Resolution authorizing Acrisure, LLC to place the City of Linden’s Vision Insurance Program through Vision Service Plan at a cost not to exceed $50,000.00 from January 1, 2017 through December 31, 2017.
  12. Resolution introducing the Temporary Capital Budget for 2017:

**METHOD OF FINANCING**

**Est. Budget Capital Grant Debt**

**Project Costs Approp. Impr. Fund in Aid Authorized**

Transit Village Enhancement $400,000.00 $400,000.00 $0.00 $400,000.00 $ 0.00

Various Streets Resurfacing $2,530,000.00 $2,530,000.00 $126,500.00 $2,403,500.00

Disaster Recovery Project $82,500.00 $82,500.00 $4,215.00 $78,375.00

Amendment

Brook, Storm, Sanitary Sewer $1,045,000.00 $1,045,000.00 $52,250.00 $992,750.00

Improvements and Underground

Tanks

Landfill Closure $500.000.00 $500,000.00 $25,000.00 $450,000.00

* 1. Resolution amending Resolution No. 2016-276 entitled, “Resolution approving the award of a contract to Remedy Analytics, Inc. for the City of Linden.” (Changing the dates of service to reflect a commencement date of July 20, 2016 and expiration date of December 31, 2019.)

2017-110 Resolution approving an award of a contract to Development Directions, LLC to operate the City of Linden’s Home Improvement Program for 2017-2018 at a fee not to exceed $27,000.00 for 2017 and an undetermined amount (twenty percent (20 %) of the grant for 2018), in accordance with their proposal dated December 1, 2016.

2017-111 Resolution approving a contract with Dynamic Earth for Testing and Inspection of materials for the annual Construction Program for 2017 at a fee not to exceed $10,000.00 in accordance with their proposal dated October 27, 2016.

* 1. Resolution authorizing contracts with certain approved State Contract Vendors, WB Mason, State Contract Number 88839, T-0052 pursuant to N.J.S.A. 40A:11-12a.
  2. Resolution appointing Chasan Lamparello Mallon & Cappuzzo, PC to serve as special counsel for OPRA services at a fee not to exceed $17,500.00.
  3. Resolution declaring the month of February 2017 as “Black History Month” and recognizing the outstanding accomplishments of Muhammad Wilkerson.
  4. Resolution declaring the month of February 2017, as “Black History Month” and recognizing the Community Service Contributions of Elijah Johnson Sr.
  5. Resolution authorizing a 2 year (24 month) extension to Ronko Developers, LLC to foreclose tax sale certificate #A0900051 to May 21, 2019.
  6. Resolution engaging Pennoni Associates for contract administration for the Wood Avenue Streetscape Project, at a fee not to exceed $128,828.78 in accordance with their proposal dated January 6, 2017.
  7. Resolution affording yearly wage increments for Non-Bargaining Unit Department Heads.
  8. Resolution rescinding Resolution No. 2016-377, allowing Johnston Communications to conduct an audit of the City’s VOIP System.
  9. Resolution rescinding Resolution No. 2017-91 Amending resolution 2016-276 approving the award of a contract to Remedy Analytics, Inc.
  10. Resolution authorizing the filing of a Municipal Recycling Grant Application form with the New Jersey Department of Environmental Protection and Energy, Office of Recycling for the year 2016.

2017-122 Resolution authorizing the Re-Establishment of a Petty Cash Fund, in the Department of Social Services in the amount of $100.00.

* 1. Resolution approving a contract with Ricci Planning for on-call Planning Services at a fee not to exceed $17,500.00 in accordance with their proposal dated October 31, 2016.
  2. Resolution authorizing Stacey L. Carron, Tax Collector, to complete an application to participate in Electronic Tax Sale Process in accordance with N.J.S.A. 54:5-19.
  3. Resolution approving a contract with ROK Industries, Inc., d/b/a NJTaxlieninvestor.com for internet-based electronic tax sale processing for 2017 at a fee not to exceed $15.00 per item listed.
  4. Resolution authorizing a fee of $25.00 per notice mailed for notices pertaining to electronic tax sales as authorized by N.J.S.A. 54:5-19.1.
  5. Resolution awarding a contract for emergency snow plowing and hauling services, on an as needed basis, for the Department of Public Works, to Ed Mack Trucking, LLC., in the amount of $130.00 per hour not to exceed $25,000.00.
  6. Resolution awarding a contract with Richard Chaiken of Appraisal Consultants at a fee not to exceed $8,500.00, for an appraisal of the St. Georges Avenue Redevelopment Area.
  7. Resolution designating VVR Developers as conditional redeveloper for a period of Ninety (90) days and conditioned upon the successful negotiation of a redevelopment agreement relating to the properties commonly known as Block 91, Lots 1-12 and Block 84, Lots 1, 4, 5, 6 and 7 on the tax maps of the City of Linden. (St. Georges Avenue Redevelopment Area).

**Ordinance on Introduction**

#61-5 Bond Ordinance authorizing the resurfacing of various streets in the City of Linden and appropriating $2,530,000 therefore and authorizing the issuance of $2,403,500.00 bonds or notes to finance part of the cost thereof.

#61-6 Bond Ordinance amending Bond Ordinance Number 57-45 (Transit Village Enhancement) finally adopted on August 20, 2013. (changing the appropriation to $1,446,000.00 from $,1,046,000.00 and deleting the reference to $600,000.00 expected to be received from the NJ DOT – Federal Transportation Enhancement in connection with the improvement described in Section 3(a)(1) of the Bond Ordinance and substituting in lieu therefor “$1,000,000.00.”)

#61-7 An Ordinance to amend and supplement Chapter VII, Traffic:

7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking On-Street

Name of Street Spaces

ADD

Academy Terrace 1

(For 1125 DeWitt Terrace)

DELETE

1. Richford Terrace 1

#61-8 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,” adding Schedule 4-LL-2.

#61-9 Bond Ordinance amending Bond Ordinance Number 59-44 (Disaster Recovery Project) finally adopted on November 10, 2015. (Changing the appropriation to $687,500.00 from $605,000.00; changing the down payment from $30,250.00 to $34,375.00 and changing the Section 20 costs from $60,500.00 to $68,000.00.

#61-10 Bond Ordinance providing an appropriation of $500,000.00 for closure of the Linden Sanitary Landfill for and by the City of Linden, and authorizing the issuance of $475,000.00 Bonds or Notes of the City for Financing Part of the Appropriation.

#61-11 Bond Ordinance authorizing brook, storm and sanitary improvements and removal of underground storage tanks at various locations citywide in and for the City of Linden, appropriating $1,045,000.00 therefore and authorizing the issuance of $992,750.00 bonds or notes to finance part of the cost thereof.