**COUNCIL MEETING AGENDA**

**JUNE 20, 2017**

**PRESENTATION**

**Honoring Sasquia Carrillo**

**As**

**2016 Queen of the Ecuadorian Civic Committee of New York**

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**Brian Samer**

**By**

**Police Captain David Hart**

**APPROVAL OF MINUTES**

**The Regular Meeting**

**May 16, 2017 and the**

**Special Meeting of**

**June 8, 2017**

**ORDINANCE CONTINUED FROM THE MAY 16, 2017 MEETING**

#61-35 An ordinance to amend and supplement Chapter VII, Traffic

Section 1. That Chapter VII, Traffic, Section 7-13, Parking Prohibited for Street Cleaning and Maintenance, shall be and the same is hereby amended as follows:

**DELETE:**

*Street Side Hours Days Location*

S. Wood Avenue East/West 7:00 am to 8:00 am Highway to

21 Street

Windsor Road South 7:00 am to 11:00 am Thurs Linden Avenue to

21st Street

Wood Avenue West 7:00 am to 11:00 am Tue Linden Avenue to

21st Street

Wood Avenue East 7:00 am to 11:00 am Fri Linden Avenue to

21st Street

**ADD:**

*Street Side Hours Days Location*

Windsor Road South 7:00 am to 11:00 am Thurs Stiles Street

to Stiles Street

Bedle Place East 11:00 am to 3:00 pm Mon From Grier Avenue to Allen Street

Bedle Place West 11:00 am to 3:00 pm Thurs From Grier Avenue to Allen Street

Wood Avenue West 6:00 am to 7:00 am Tue Linden Avenue to Edgar Road

Wood Avenue East 6:00 am to 7:00 am Tue Linden Avenue to Edgar Road

S. Wood Avenue West 1:00 pm to 2:00 pm Tue Edgar Road to

21st Street

S. Wood Avenue East 1:00 pm to 2:00 pm Fri Edgar Road to

21st Street

**ORDINANCE ON HEARING**

**#61-38** An ordinance to amend and supplement Chapter VII, Traffic, Section 7-20, One Way Streets, shall be and the same is hereby amended as follows:

ADD

The following Street:

Name of Street Direction Limits

Ashton Avenue South From Urbanowitz Avenue to U.S. 1

**#61-39** An ordinance to amend and supplement Chapter VI, Alcoholic Beverage Control.

DELETE 6-11.1 Fingerprinting and photography by Police Department Required in its entirety.

ADD NEW SECTION 6-11.1 Fingerprinting and Photography Requirements

(amends the process for fingerprinting and issuing of photo ID’s to employees of A.B.C. establishments).

**#61-40** An ordinance to amend and supplement Chapter VII, Traffic.

That Chapter VII, Traffic, shall be and the same is hereby amended as follows:

7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking On-Street

ADD:

Name of Street Spaces No. of Location

910 Clark Street 1 On the Northeasterly sideline of Clark Street 113 feet

More or less northwesterly from the projection of the

Northwesterly curbline of Cleveland Avenue in front of

910 Clark Street for a length of 22 feet. The aforesaid

Space is specifically reserved and designated for a

Vehicle for America Pelaez to be identified by license

Plate number and placard number P1765422 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.

**#61-41** An ordinance to approve the amendment to the Financial Agreement between Linden Urban Renewal Limited Partnership, located at 1400 Park Avenue, Linden and the City of Linden. (extending it for an additional fifteen years)

**#61-42** An ordinance authorizing the execution of a tax agreement with Duke Linden, LLC for the payments in lieu of taxes for a newly constructed industrial building with respect to Block 469, Lot 39.03 on the tax map of the City of Linden.

**CONSENT AGENDA**

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

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

2017 Taxes $26,438,437.55

2016 Taxes $234,410.40

2015 Taxes $4,690.48

Garbage Fee Payments $67,539.99

Garbage Fee Penalty $4,820.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $10.00

Lien Redemption Request Fee $0.00

Year End Penalty $4,253.38

Returned Check Fee Paid $40.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2017 ($8,899.93)

Returned Check 2016 ($0.00)

Returned Check Interest ($5.70)

Returned Online Payment 2017 Taxes ($5,387.57)

Returned Online Interest ($9.52)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Adv. Before Tax Sale $18,725.78

Premium $0.00

Sewer Clean out charge $1,755.00

DPW Reso payments $2,665.00

Interest $41,375.14

Total $26,804,420.00

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

**Block lot Redemption Date CTF# Amount**

**85 10 6/17/17 13-00106 $16,500.00**

**186 1 5/23/17 13-00230 $800.00**

Therefore, it would be in order for the Council to authorize the Treasurer to issue a check in the amount of $17,300.00 payable to: US Bank Cust for Pro Cap 4 & Crdtrs, 50 South 16th Street, Suite #2050, Philadelphia, Pa 19102, charging the 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 and lot:

**Block lot Redemption Date CTF# Amount**

**195 2 5/25/17 14-00158 $2,500.00**

**574 8.03 5/10/17 14-00367 $1,400.00**

Therefore, it would be in order for the Council to authorize the Treasurer to issue a check in the amount of $3,900.00, payable to TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging the 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 and lot:

**Block lot Redemption Date CTF# Amount**

**276 25 5/31/2017 15-00177 $1,300.00**

**352 1 6/9/2017 15-00204 $2,300.00**

**463 37 5/23/2017 15-00262 $1,300.00**

Therefore, it would be in order for the Council to authorize the Treasurer to issue a check in the amount of $4,900.00 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.

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

Block and lot:

**Block lot Redemption Date CTF# Amount**

**370 7 5/22/2017 15-00214 $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: 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 2015 tax sale on the following

Block and lot:

**Block lot Redemption Date CTF# Amount**

488 13 5/22/2017 14-00309 $11,600.00

Therefore, it would be in order for the Council to authorize the Treasurer to issue a check in the amount of $11,600.00 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.

**Credit** Block 87 Lot 10

Estelle L. Maynard

1115 Passaic Avenue

There now exists a credit balance on the about referenced block & lot due to a posting error paid towards the Garbage Fee instead of the Sewer billing. The overpayment amount is $67.00.

Therefore, it would be in order for the Council to authorize the Treasurer to issue a check in the amount of $67.00, payable to L.R.S.A., 5005 South Wood Avenue, P.O. Box 4118, Linden, NJ 07036 charging same to account #7-01-08-607-011.

**Credit** Block 100 Lot 17

Justin Kiliszek

1024 Bergen Avenue

There now exists a credit balance on the above referenced block & lot due to the former property manager paying additional garbage fees. The former property manager is entitled to a refund of $65.00.

Therefore, it would be in order for the Council to authorize the Treasurer to issue a check in the amount of $65.00 payable to: Justin Kiliszek, 619 Forest Drive, Springfield, NJ 07081 charging the same to account #7-01-08-607-011.

**Credit** Block 251 Lot 3

Wilfredo & Carolyn Batistia

321 Ainsworth Street

There now exists a credit balance on the above referenced block & lot due to the owner’s mortgage company and the owner’s title agency paying the 2013 3rd quarter property tax creating the overpayment in the amount of $2,555.43.

Therefore, it would be in order for the Council to authorize the Treasurer to issue a check in the amount $2,555.43 payable to Wilfredo & Carolyn Batistia, 321 Ainsworth Street, Linden, NJ 07036, charging the same to account #-7-01-55-288-999-904.

**Credit** Block 524 Lot 63

Ryszard Pasek

1207 Woodlawn Avenue

The above referenced owner’s Mortgage Company and Title Company have paid the 2016 4th quarter property taxes creating this overpayment and the owner is entitled to a refund in the amount of $1,469.76.

Therefore, it would be in order for the Council to authorize the Treasurer to issue a check in the amount of $1,469.76, payable to : Ryszard Pasek, 1207 Woodlawn Avenue, Linden, NJ 07036, charging the same to #700-01-55-288-999-904.

**Credit** Block 468, Lot 4

Michael A. Eorio

405 W. Linden Avenue

There now exists a credit balance on the above referenced block and lot due to the owner’s mortgage company and the owner paying the 2011 2nd quarter property taxes creating the overpayment on the amount of $1,574.12.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,574.12 payable to: Michael A. Eorio, 405 W. Linden Avenue, Linden, NJ 07036, charging same to account #7-01-55-288-999-904.

**Credit** Block 499, Lot 12

Ingrid A. Macias

841 Mack Place

There now exists a credit balance on the above referenced block and lot due to the owner’s mortgage company and the owner paying the 2011 2nd quarter property taxes creating the overpayment on the amount of $1,659.44.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,659.44 payable to: Ingrid A. Macias, 841 Mack Place, Linden NJ 07036 #7-01-55-288-999-904.

**(\*\*\*) Municipal Treasurer:**

1. Requesting approval for the following reimbursements:
2. Service date 8/9/17 – Margaret Smith is entitled to a refund in the amount of $35.57 for service that was provided on 8/9/2017. Therefore, it would be in in order for the Council to authorize the Treasurer to issue a check in the amount of $35.57 payable to Margaret Smith, 818 Allen Street, Apt. K, Linden, NJ 07036 charging same to 7-01-08-629-011.
3. Service date 2/11/2017 – Anna Walson is entitled to a refund in the amount of $775.00 for service that was provided on 2/11/2017. Therefore, it would be in order for the Council to authorize the Treasure to issue a check in the amount of $775.00 payable to Anna Walson, 236 Hussa Street, Linden, NJ 07036 charging same to 7-01-08-629-011.
4. Overtime Refund – Apple Food Service New Jersey is entitled to a refund of $391.85 for overtime that was paid for Cinco de Mayo fire protection/occupancy control by the Linden Fire Department. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $391.85 payable to Apple Food Services New Jersey, charging same to 7-01-25-265-152-121.

**(\*\*\*) Municipal Treasurer:**

1. Advising that the following City Employees have filed for retirement:

**Department Employee Title Date**

Police Dept. Anneesah Jones Police Officer June 1, 2017

Police Dept. Jeffrey Clark Police Lieutenant July 1, 2017

**(\*\*\*) Public Property & Community Services:**

1. Requesting permission to close Wood Avenue from Route 1&9 to Gibbons Street between the hours of 12noon and 6pm on Sunday, October 29, 2017 to hold the City of Linden Annual Halloween Parade. Additionally approving the Hold Harmless Agreement between the City and the Linden Board of Education for the use of two (2) Toro Work Carts for the parade.

**(\*\*\*) CULTURAL & HERITAGE COMMITTEE:**

1. Requesting permission to close Wood Avenue between E. Elizabeth Avenue and Curtis Street on Saturday, September 23, 2017 (rain date Sunday, September 24, 2017) to hold the Annual Street Festival from 11am to 9pm. Additionally, permission is being requested to hang banners across Wood Avenue and at various locations throughout Union County to advertise the event.

**(\*\*\*) FIRE DEPARTMENT:**

**(6)** Requesting approval to close Wood Avenue from Elizabeth Avenue to Elm Street and Blancke Street from Wood Avenue to Helen Street between the hours of 4pm and 9pm to hold their annual Fire Prevention Night, on Friday, October 13, 2017.

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

1. Authorizing the City Clerk to request permission from the County of Union to close North Wood Ave on December 1, 2017 for the City of Linden’s Christmas Tree Lighting ceremony from the hours of 5:00 pm to 10:00 pm from Elizabeth Ave. to Elm Street and to provide all necessary indemnification and insurance for the event.

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

1. Approving an application for a street closure for First Baptist Church for their

Community Cook out & Tent Worship Service on August 19, 2017 and August 20, 2017 to close Carnegie and Lincoln Streets closing off 929 Dill Avenue. Insurance has been provided.

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

1. Requesting approval of the following bingo/raffle applications which have been submitted to the City Clerk’s Office

**Application # Organization Raffle Fees**

RA-1609 Loyal Order of Moose 50/50 $20.00

RA-1610 Loyal Order of Moose I Year Pull Tab $750.00

**(\*\*\*) Board of Health**

1. Advising that the Board of Health issued twenty-two (22) Certificates of Occupancy

during the month of May 2017.

**(\*\*\*) TREASURER**

**(11)**  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 $251,760.40. (List is on file in the City Clerk’s Office).

**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 certain payments made by the Municipal Treasurer during the month of May, 2017 that do not appear on the claims list.
  2. Resolution honoring Sasquia Carrillo as 2016 Queen of the Ecuadorian Civic Committee of New York.
  3. Resolution establishing a temporary budget for the current fund operating budget for the period of January 1, 2017 through July 31, 3017 in the sum of $49,771,803.86.
  4. Resolution establishing the Sanitary Landfill Operating Budget for the period of January 1, 2017 through July 31, 2017 in the sum of $159,075.00.
  5. Resolution approving an application from the ROID Grant Program, in the amount of $20,000.00 to support recreational activities for the City of Linden’s disabled population.
  6. Resolution adopting a corrective action plan for the City of Linden per the 2016 Audit Recommendations.
  7. Resolution appointing members of the Rent Leveling Board to a one year term commencing July 1, 2017 and until their successors shall have been appointed and shall have qualified.
  8. Resolution appointing Emerito Ruizo, Jr. as an alternate member of the Linden Roselle Sewerage Authority to fill the unexpired term of Patrick J. Cerra which began May 1, 2017 and terminates on April 30, 2021 and until his/her successor has been appointed and qualifies.
  9. Resolution of the Governing Body certifying the Annual Audit.
  10. Resolution requesting the refund of deposits from the 2017 Online Tax Sale
  11. Resolution authorizing the City of Linden Tax Collector to refund property taxes, in the amount of $2,284.49, on Block 120, Lot 241 to Andrike Terry & Geri Sales-Terry due to a Superior Court judgment.
  12. Resolution authorizing the City of Linden Tax Collector to refund property taxes, in the amount of $12,239.27, on Block 198 Lot 43.01 to Apartments at St. Elizabeth’s due to duplicate property taxes being paid.
  13. Resolution authorizing the City of Linden Tax Collector to cancel duplicate property taxes in the amount of $17,769.00, on Block 198 Lot 43.01.
  14. Resolution authorizing the issuance of a request for proposals/request for qualifications for the development of Block 580, Lot31.09 on the City of Linden tax maps (1700 South Stiles Street)
  15. Resolution qualifying professionals, through a fair and open process, for Public Relations work.
  16. Resolution approving the award of a contract to Mark Paving Co., Inc., in the amount of $306,633.40 for the repaving of certain streets.
  17. Resolution authorizing the execution of a shared services agreement with the City of Rahway for the City of Linden, Engineering Department, for the inspection of Haribienko Court.
  18. Resolution approving the award of a contract to W.D. Snyder Co., at their low bid of $74,250.00 for construction work relative to the Police Evidence Storage Room.
  19. Resolution approving an agreement with Equifax Workforce Solutions (formerly known as Talx Corporation), to provide unemployment insurance tax control for a period of three years at a cost not to exceed $2,641.31 for July 1, 2017 through June 30, 2018, the first year; $2,720.54 for July 1, 2018 through June 30, 2019, the second year; and $2,802.16 for July 1, 2019 through June 30, 2020, the third year.
  20. Resolution authorizing the City of Linden to process an involuntary disability retirement application for Firefighter Daniel Berlinski.
  21. Resolution recognizing Brian Samer for his hard work and dedication.
  22. Resolution authorizing the Mayor and City Clerk to execute an agreement with Conrail for the Quiet Zone Improvement on Lower Road in an amount not to exceed $68,849.00
  23. Resolution prohibiting award of contracts to a member of Council’s immediate family and prohibiting a member of City Council’s immediate family from doing business with the City of Linden.
  24. Resolution amending Resolution 2017-196 authorizing the City of Linden to process an involuntary disability retirement application for Patrol Officer Anneesah Jones.
  25. Resolution awarding a contract to South Shore Construction, LLC, with alternates in the amount of $334,220.00 for City Hall Garage Waterproofing – Phase 2.

**ORDINANCES FOR INTRODUCTION**

#61-43 Bond ordinance providing an appropriation of $100,000 for citywide curb and sidewalk reconstruction for and by the City of Linden and authorizing the issuance of $95,000. Bonds or notes of the City for financing part of the appropriation.

#61-44 Bond ordinance authorizing the resurfacing of city owned parking lot at train station, appropriating $100,000.00 therefore and authorizing the issuance of $95,000.00 Bonds or notes to finance part of the cost thereof.

#61-45 An ordinance to create a new chapter entitled “City of Linden Municipal Port Authority” by the City Council of the City of Linden.