**Minutes of the Regular**

**Meeting of the 2017 Council of the**

**City of Linden, held Tuesday**

**February 21, 2017**

The regular meeting of the 2017 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, February 21, 2017 at 7:08 pm. The meeting was called to order by Council President Jorge Alvarez and she announced that the notice of this meeting stating the date, place and time, has been disseminated as required under the Open Public Meeting Act, Chapter 231, P.L. 1975.

The Clerk rendered the opening prayer, after which the members of the Governing Body and the persons in attendance saluted the flag.

Council President Jorge Alvarez informed those present of the proper procedures for exiting the room in the event of an emergency.

Council President Jorge Alvarez asked all members of the public, wishing to speak during the public comment session to please sign in on the sign-in white sheets provided in the front of the room.

Council President Jorge Alvarez asked all to place their cell phones on vibrate, and if they must take a call to please leave the room to do so.

A roll call showed the following members were present:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Barry Javick

“ Monty Brooks

“ Peter Brown

Councilwoman Cosby-Hurling

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mr. Medina moved for approval of the minutes of the January 17, 2017 Council Meeting. The motion was seconded by Mrs. Yamakaitis and was ordered approved by a roll call vote with all in favor with the exception of Mr. Alvarez who abstained.

**ORDINANCES ON HEARING**

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

#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

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mr. Strano moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Yamakaitis and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

#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.”

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mrs. Yamakaitis moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Strano and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

#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

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mr. Brooks moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Strano and on a roll call vote the foregoing ordinance was ordered approved with all voting in favor with the exception of Mrs. Cosby-Hurling who voted no.

**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.

C**redit 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.

**(\*\*\*) CTY 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

**Mr. Javick moved for approval of Consent Items #1 through #5. The motion as seconded by Mr. Brown and was ordered approved with all voting in favor with the exception of Mrs. Cosby-Hurling who abstained.**

**COMMITTEE REPORTS AND COMMENTS FROM THE MEMBERS OF THE GOVERNING BODY**

**First Ward**

Mrs. Ormon spoke about how important it is for all facets of our government to work together. She then spoke about the recent threat at Linden High School, the lockdown of the building, and how important it was that all of the government agencies worked together, with the person causing the issue being apprehended. She thanked a number of individuals and organizations for their efforts. Next Mrs. Ormon spoke about the improved performance of DPW, during the recent snow storm, calling the job done wonderful, and thanked them for it. She then thanked the residents of the First Ward in following the street parking ordinances during the snow storm as it allowed for a better plowing job to be done.

Mrs. Ormon complimented the Fire Department on the job they did with recent fires in the City, including one in the First Ward. She stated that she wanted to acknowledge them for the hard, and dangerous work that they do. She then announced that the Shade Tree Commission would be out in the First Ward, and asked residents to let her know if they would like a tree planted by their house. Mrs. Ormon also announced that plans are in the works for a meet and greet for residents of the First, Second and Third Wards to be held sometime in March. Details, when finalized would be posted on the City website and Linden TV. She then spoke about the plans for the Annual Easter Egg hunt, details would be announced soon.

Mrs. Ormon informed all of the creation of a bowling league for special needs children, sponsored by the City, and thanked Al MacDonald for his behind the scenes efforts to provide a program for these children. As a result some of Linden’s children were able to participate in the Special Olympics, and three did place, winning bronze, silver and gold medals. They are now advancing to the semi-finals. Mrs. Ormon provided details on the program for those wanting to participate. She thanked Mr. MacDonald again.

**Second Ward**

Mr. Javick gave a special thank you to the DPW and Mr. Micucci for a job well done in dealing with the recent snow storm. He called it the best job done in his area. He also thanked the Second Ward residents for their patients and all that they did to move their cars off of the streets, so that the plows could do their job. He thanked the Linden Police department, Chief Dooley and the members of the Fire Department for all of their efforts with the fire at the United Lacquer site. He noted how dangerous the jobs were of these individuals.

Mr. Javick informed all that additional automated garbage trucks are being bought, and it is hoped that the Second Ward, and the rest of the City would be on this system by the end of the year. He then provided an update on the planned use of technology, in the DPW, to increase accountability. Mr. Javick announced the plans for a meet and greet for the residents of the First, Second and Third Wards, and provided some of the details. Details would be forthcoming. He also discussed plans for an Easter egg hunt. He provided his contact information.

**Third Ward**

Mr. Brown noted that he had no report.

**Fourth Ward**

Mr. Brooks also spoke about the lockdown, and how he was also on lockdown, and gave a great deal of credit to the Mayor and the Police Department for making that as comfortable as possible for those involved. He thanked them for their efforts. Next he spoke about the coming of warmer weather and the good feeling it was to see everyone out and walking the ward. He noted that he operates at the behest of the residents of the Fifth Ward. He provided his contact information for those that need to speak with him.

Mr. Brooks spoke about the tutorial program, at the LMPC, and the amount of pride he had in the program. He provided details on the program, and how students could take advantage of the program. He thanked the Linden Board of Education and Dr. Robertozzi, and several other individuals. Next he announced that this Saturday, he would be having a financial aid workshop, and provided details on the event and what would be addressed.

Mr. Brooks spoke about the LMPC and the repairs that were done to it, and thanked Mr. MacDonald for the work done. Next he spoke about the renovations to Dr. Martin Luther King Park, and how it was fulfilling a promise he made to the residents to get this work done. He detailed the work that will be done.

Mr. Brooks gave the report of the Transportation Division. A total of $60,794.64 was collected from all sources, for the month of January 2017. Next he reported that the City Clerk’s office collected $4,652.60 for the month of January, 2017 and the Licensing Division of the City Clerk’s office collected a total of $6390.00 for the same period. He then provided his contact information.

**Fifth Ward**

Mrs. Cosby-Hurling stated that the report of the Construction Code Department is on file in the City Clerk’s office. Mrs. Cosby-Hurling spoke about the need to install a street light, for increased public safety, and moved for approval to install a street light on poll 60464. The motion was seconded by seconded by President Alvarez and was unanimously ordered approved by a roll call vote.

Mrs. Cosby-Hurling reported on the recent Board of Health meeting that she attended, and on activity the Board was sponsoring. She then noted that she was the liaison to the Sewerage Authority and reported on her attendance at her first meeting. On a particular note was that the Director, of the Authority, was planning to retire. Next Mrs. Cosby-Hurling stated that part of her assignments was as liaison to the Linden Housing Authority. She explained that she was not able to attend the last meeting, and noted that the director, Mrs. Ferguson, had been ill and offered her get well wishes.

Mrs. Cosby-Hurling announced that she was also liaison to the Board of Education, which would be meeting tomorrow, and thanked them, in advance for considering sponsorship of the Hooked on Fishing, not on Drugs program. Next she spoke about the sudden passing of Susan Hudak, and how she personally lost a friend, and how the community lost an advocate. Mrs. Cosby-Hurling announced that the Fifth Ward was going to have a Relay for Life Team, encouraged all of the wards to have a team, and the planned fundraiser for the Fifth Ward team.

Mrs. Cosby-Hurling stated that this year was the first year of her third term. She spoke about her reasons for running, and that in the entire community of Linden there are things that people don’t know, don’t see. She talked about trying to make progress, and the difficulties in doing that when other people defame you, lie to you and discredit you. Mrs. Cosby-Hurling informed all that this year she was going to be more out front with her concerns for the City. She spoke about being bullied by other members of Council. For 2017 she vowed to say it plain, and with consistency. Mrs. Cosby-Hurling stated that she believed that there was a lot of corruption in the City of Linden and she was not going to be a part of any of it. She detailed some of her concerns, and that she would not stand for threats or dishonesty.

**Sixth Ward**

Mr. Sadowski, as a member of the Linden Roselle Sewerage Authority, gave a report on the recent activity of the Authority. He also spoke about the planned retirement of the Executive Director. Next he spoke about the Fire Department, OEM and the Police Department, and his recent observances of the professional job they did at a recent fire. Next he gave the report of the Fire Prevention Bureau. The Bureau collect $6,767.72 in fees for the month of January. The ambulance reimbursement system collected $59,587.20 for the month of January. Mr. Sadowski announced that the FMBA raised $3500.00, through a breakfast at Applebee’s and t-shirt sales to support the son of a firefighter. He also provided details on the FMBA’s annual golf outing, and how anyone who is interest could participate.

Mr. Sadowski announced that the old Food Fair warehouse has been sold and is being fixed up. He details some of the work being done. He noted that a mailbox, knocked down, in the Sixth Ward had finally been replaced. He next spoke about the passing of Sue Hudak, his long relationship with her, and shared some of his memories about her. He offered his condolences to the family. Mr. Sadowski provided his contact information for those Sixth Ward residents with questions or concerns.

Mr. Sadowski informed all that the former St. Theresa’s School would be reopening, in September, as a Charter School.

**Seventh Ward**

Mr. Strano gave the report of the Budget Review and Finance Committee.

1. The payment of bills totaling $1,429,008.12, bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.
2. We are in receipt of the investments made by the City Treasurer for the month of February at the rate of .50%

Mr. Strano moved for approval of the report. The motion was seconded by Mrs. Yamakaitis and was ordered approved by a roll call vote, with all voting in favor except Mrs. Cosby-Hurling who voted no and Mrs. Hickey who abstained.

Mr. Strano spoke about the issue of the Quite Zone designation for the railroad crossing at Lower Road. He read from a letter sent to the Clerk’s office, regarding a meeting on this issue. He hoped that the project would start moving forward quickly, for the benefit of the residents.

Mr. Strano talked about the passing of Sue Hudak and how it was a tragedy. He spoke about her many accomplishments, and all that she did for the community, in her many roles, including as a member of the Board of Education and as its president.

**Eighth Ward**

Mrs. Yamakaitis asked if there were any questions on the Personnel Report. Mrs. Cosby-Hurling spoke about the revisions, to the policies, that have been done, since 2011, and how, apparently, the new committee was going to undue them. She continued explaining that the changes that were made were done because the people of Linden thought the process unfair and why. She referred to the report and noted her reasons for her objections. Mr. Brown spoke about sitting in the Personnel Committee meeting. He spoke about how the policy, and its wording, were discussed in caucus, yesterday, and it should not be a case of my opinion or the highway. He stated that he supported the work of the Committee. Mrs. Yamakaitis thanked Mr. Brown. Mrs. Yamakaitis spoke about the discussions in the Personnel, regarding this policy. She explained the concerns and issues of the Department Heads that the Committee was trying to address, and that an open public posting would continue for jobs in the City. Mrs. Yamakaitis then gave the following report of the Personnel Committee:

1. In the Police Department:
   1. The appointment of Daniel Gomes, voluntary intern, for the period of January 17, 2017 to May 10, 2017, at no cost to the City. The internship is for college credit.
2. In the Fire Department:
   1. The appointment of Fire Lieutenant Greg Pawlowski and Fire Lieutenant Christopher Rooney to the position of Fire Captain, effective March 1, 2017, salary commensurate with the salary ordinance $124,000.00.
   2. The appointment of Firefighter Mike Cassidy to the position of Fire Lieutenant, effective March 1, 2017, salary commensurate with the salary ordinance $108,000.00.
   3. The appointment of Firefighter Barry Kaverik to the position of Fire Lieutenant, effective March 1, 2017, salary commensurate with the salary ordinance $108,000.00.
   4. Permission to begin background checks for fire candidates, subject to notification that said background checks are not offers of employment.
3. In the Office of the Mayor:
   1. The appointment of Leanne F. White as Confidential Aide to the Mayor at a salary of $37,000.00, subject to satisfactory completion of the City’s background check policy effective February 22, 2017
4. From the Personnel Division:
   * 1. FMLA requests:

a. Employee #000129 – Intermittent FMLA from 1/12/17 to 7/12/2017

b.Employee #908991 – FMLA/NJFLA from 1/23/17 to 4/21/2017

c. Employee #107414 – Intermittent FMLA from 1/10/2017 to 9/10/2017

1. The approval of the posting policy.

Mrs. Yamakaitis moved for approval of the Personnel report. The motion was seconded by Mr. Strano and was ordered approved by a roll call vote, with all voting in favor except Mrs. Cosby-Hurling who voted no to item 4d.

Mrs. Yamakaitis asked the promoted firemen to stand and be recognized.

Mrs. Yamakaitis read a statement, from the Personnel Committee, to City employee’s regarding cyber bullying. She noted some of the concerns and asked employees, if they feel they are being bullied, to contact the Personnel Office and speak to Mr. Roth. Most of the Council will stand behind you.

Mrs. Yamakaitis gave her Eighth Ward report. She spoke about the restriping of Grier Ave, that Mrs. Yamakaitis traffic studies, on hold, would move forward, and a few other projects. She also announced on behalf of the Pulaski Parade Committee, that the Committee was looking for Miss Polonia and Junior Miss Polonia to represent the Committee and St. Theresa’s. She provided details on the requirements and how to apply. Mrs. Yamakaitis announced the pancake fundraiser that FOLAS has scheduled for March 22nd, and how to obtain more information.

**Ninth Ward**

Mr. Medina thanked DPW for the amazing job they did during the snow storm and congratulated the recently promoted men in the Fire Department. He also thanked them for the job that they do. Next he announced that the Library would be hosting a fundraiser, starting in March, on the first Monday of the Month, at various restaurants in the City. He noted some of the other programs that would conducted at the library or by the Friends of the Linden Library.

Mr. Medina next spoke about paving projects, in the Ninth Ward, and the future planning for the paving of North Wood Ave with Borough of Roselle. The engineer is trying to obtain grant funding for this project. He talked about complaints he has been receiving regarding traffic around schools in the Ninth Ward, and asked parents to allow enough time to drop the children at school, and to drop them off safely.

Mr. Medina spoke about the passing of Mrs. Hudak, and some of the issues that she helped him address in the Ninth Ward. He talked about the shock of her untimely passing. He then informed all of the passing of another Ninth Ward resident, Officer Novak. He spoke about grieving for the officer’s family, especially his young children. He provided his contact information for Ninth Ward residents.

**Tenth Ward**

Mrs. Hickey gave the 2016 report of OEM responses to incidents that happened in the City. She talked about how proud she was of the work that these volunteers do for the City of Linden. She thanked DPW for the amazing job they did during the recent snow storm, and that she also appreciates it. Mrs. Hickey informed residents of a number of the other services that DPW can perform them, and provided a phone number of DPW if residents have those issues.

Mrs. Hickey informed all that the gas company’s pipeline phase I pipeline project, in the Tenth Ward, and noted the amazing job done by the contractor. Phase II should be starting soon. She thanked all those that attended the Casino night held by the Linden Housing Authority, last month. She added that the Director has been ill, and therefore wasn’t in attendance, but Mrs. Hickey expected her to return to work shortly.

Mrs. Hickey announced the Union County St. Patrick’s Day Parade, in Union Township, on March 11th and provided details. She congratulated the firemen promoted. Next she sent her condolences to a Tenth Ward family on the loss of their brother-in-law. She offered her condolences to the family of Officer Novak, and the passing of Sue Hudak.

Mrs. Hickey spoke about the numerous complaints that she is getting regarding speeding in the Tenth Ward. She spoke about Linden residents, Pat and Rick Ordner, and their son’s dedication to watching Linden Council meetings. She then gave a shout out to their son Michael.

**MAYOR’S REPORT**

Mayor Armstead began by giving those present an update on the score of this evening’s high school boys’ basketball game. The Mayor then announced the recent Appellant court ruling regarding the former GM site, and upholding the City’s position against Shop Rite. He noted the efforts to get the project started. Next he provided an update on the status of the St. Georges Avenue redevelopment project.

Mayor Armstead then reported on the Linden First Program, and its working with Blue Apron to provide jobs, to Linden residents. He complimented Pastor Pam for the work she was doing with this program, and all of her efforts to place Linden residents in need of jobs.

Mayor Armstead then spoke about an issue that was painful to him, noting the OPRA request of a former Mayor regarding weddings performed by himself and the fees collected. He explained how the funds collected, for preforming weddings, is used in detail. (Mrs. Hickey left the meeting) He expressed his feelings about former Mayor Gerbounka trying to make something that is good, look bad. (Mrs. Cosby-Hurling left the meeting).

President Alvarez expressed condolences to the Hudak family on the loss of Sue Hudak. He detailed her work, with the Community, particularly her service as a member of the Board of Education, and spoke about his long history with her.

President Alvarez explained that Mrs. Hickey had to leave the meeting due to an emergency situation in her ward, and was excused.

**RESOLUTIONS**

**President Alvarez Statedpublic 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.**

**Mr. Brown moved for approval of Resolutions #2017-97 through #2017-129 with the exception of Resolutions #2017-97, #2017-99, #2017-100, #20174-102, #2017103, #2017-104, #2017-105, #2017-108, #2017-110, #2017-113, #2017-117, #2017-123, #2017-127 and #2017-128. The motion was seconded by Mr. Brooks and was ordered approved by all in favor with the exception of Mrs. Cosby-Hurling and Mrs. Hickey who were both excused from the meeting.**

**Resolutions #2017-97, #2017-104, #2017-108 and #2017-127 were removed by Ms. Wilverding.**

**Resolutions #2017-99, #2017-100, #2017-102, #2017-103, #2017-105, #2017-110, #2017-113, #2017-117, #2017-123 and #2017-128 were removed by Ms. Malik.**

**RESOLUTION: 2017-97**

**RESOLUTION TO APPROVE THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE ELIZABETH AVENUE STREETSCAPE AND PEDESTRIAN SAFETY IMPROVEMENTS PROJECT**

WHEREAS, the City of Linden is requesting funding from the New Jersey Department of Transportation Transit Village Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Linden formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as TV-2017-Elizabeth Avenue Streetscape and Pedestrian Safety Improvements-00022 to the New Jersey Department of Transportation on behalf of the City of Linden.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Linden and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this 21st day of February, 2017.

Ms. Diane Wilverding, 150 E. Morris Ave. Ms. Wilverding asked what was being done to ensure pedestrian safety. President Alvarez responded, describing the work in detail, as did Mr. Brown and Mrs. Sadowski.

**FOR ROLL CALL REFER TO RESOLUTION #2017-127.**

**Mayor Armstead left the meeting. President Alvarez noted that the Mayor was leaving due to the situation in the Tenth Ward, and excused him.**

**RESOLUTION: 2017-98**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of January, 2017 which do not appear on the Claims list,

**WHEREAS,** said payment must be ratified by the Governing Body of the City of Linden,

**NOW, THEREFORE, BE IT RESOLVED** that the following payments be and hereby are approved:

**CURRENT**

**CK# DATE PAYABLE TO: PURPOSE AMOUNT**

1/4/17 Medco claims 71,124.59

1/5/17 Workers Comp. claims 20,862.14

1/5/17 Worker’s comp. claims 13,344.70

1/10/17 Worker’s Comp. claims 11,151.83

164750 1/12/17 Oak Holding tax refund 30,000.00

1/13/17 Payroll payroll 1,730,627.32

1/13/17 SHBP Retirees Jan health premium 617,096.71

1/13/17 SHBP Active Nov health premium 656,372.07

1/13/17 Vision Service Plan claims 4,109.36

1/19/17 Worker’s Comp. claims 25,704.57

1/19/17 Medco Health claims 101,550.39

1/24/17 Dental City of Linden Jan premium 38,397.55

1/24/17 Dental Sewerage “ 3,264.52

1/24/17 Dental Housing “ 1,555.31

1/24/17 Dental Library “ 951.19

1/24/17 Dental Cobra “ 136.98

1/26/17 Worker’s Comp. claims 36,672.69

1/27/17 Payroll payroll 1,783,328.09

1/31/17 Worker’s Comp. claims 21,333.72

**TRUST**

1/13/17 Payroll payroll 50,047.42

1/27/17 Payroll payroll 50,595.29

**GRANT**

1/13/17 Payroll payroll 5,415.57

1/27/17 Payroll payroll 6,018.31

**SANITARY LANDFILL**

1/13/17 Payroll payroll 2,560.00

1/27/17 Payroll payroll 2,560.00

**CAPITAL**

1/12/17 PSE&G JTG Generator 49,281.35

1/13/17 Payroll payroll 129.78

**UNEMPLOYMENT**

1/13/17 Payroll payroll 1,708.77

1/27/17 Payroll payroll 1,760.84

**RESOLUTION: 2017-99**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO**

**PASCACK DATA SERVICES FOR A LEIBERT COOLING SYSTEM OR EQUAL FOR THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on February 2, 2017 for a leibert cooling system or equal; and

**WHEREAS,** a notice to bidders for said purpose was properly and legally advertised in the official publication(s); and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-902-637-919 ($42,182.70) and C-04-55-902-568-919 ($25,230.87); and

**WHEREAS**, Pascack Data Services was the only bidder at their bid of $67,413.57; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that Council pass a Resolution authorizing the award of contracts;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** as follows:

1. A contract is awarded to Pascack Data Services, 200 Central Avenue, Suite 100, Hawthorne, New Jersey 07506 at their bid of $67,413.57.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Pascack Data Services and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

Virgina Malik, 1633 Lenape Road. Ms. Malik asked what is a Leibert Cooling System and why are we paying Pascack Data Services of this, since we have a contract with them for service. Mrs. Zack responded that the Police Department needed to relocate their server to a new area. Pascack is being paid, under their contract, for the moving of the server, however there is a need for a cooling system, for the server, in the new location. This award covers the cooling system and its installation.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-100**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN ALLOWING LAND RESOURCE SOLUTIONS, LLC TO CONDUCT A FEASIBILITY STUDY OF THE CITY’S LANDFILL MASTER PLAN**

**WHEREAS**, the City has a desire to review the City’s Landfill Master Plan; and

**WHEREAS**, in order to effectuate same, a feasibility study of the Landfill Master Plan is necessary; and

**WHEREAS**, Land Resource Solutions, LLC is qualified to conduct such a feasibility study; and

**WHEREAS**, said audit will be at no cost to the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that Land Resource Solutions, LLC, having its business at Resource Renewal Business Park, 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08060, is hereby authorized to conduct feasibility study of the City’s Landfill Master Plan at no cost to the City of Linden.

Virgina Malik, 1633 Lenape Road. Ms. Malik asked what the need was, and what else this firm is going to do. She also asked what happened to the past options, for the landfill, that had been looked into. President Alvarez that the City is still working on the issue of solar panels. Mr. Antonelli, responded explaining what the options were that this firm was looking into and the potential to reduce the city’s cost in closing the landfill. He noted that the City had no obligation to do any of the items that a study may recommend.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-101**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY SAFETY FUND APPLICATION 2016 PROJECT**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** the City formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to submit an electronic grant application identified as HSF-2014-Linden City-00002 to the New Jersey Department of Transportation on behalf of the City of Linden.

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign the grant agreement on behalf of the City of Linden and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION: 2017-102**

**AMENDING A CONTRACT WITH THE NEW JERSEY AUDUBON SOCIETY**

**AS STEWARD OF THE LINDEN LANDFILL**

**WHEREAS,** pursuant to a certain administrative Consent Order between the City of Linden and Department of environmental Protection the City of Linden solicited bids for services relating to the administration of the Linden Landfill and associated greenway areas, including the Hawkrise Sanctuary(the Linden Greenway Project); and

**WHEREAS,** the New Jersey Audubon Society is not for profit New Jersey corporation originally founded in 1897, having a mission that includes providing environmental education and fostering a conservation ethic among New Jersey’s citizens, and which carries out its mission through education programs and information services; and

**WHEREAS,** pursuant to the Administrative Consent Order the New Jersey Audubon Society has been previously been approved by the City of Linden, after the solicitation of Request for Qualification, to provide such services as outlined in the Administrative Consent Order, and the City of Linden authorized retaining the New Jersey Audubon Society to provide such services pursuant to a Resolution which was adopted by City Council on September 18, 2007; and

**WHEREAS,** the New Jersey Audubon Society is ready, willing and able to provide environmental program resources for the benefit of the City of Linden and its residents; and

**WHEREAS,** the City, in compliance with the Administrative Consent Order, is required to provide such programs and resources to the Citizens of the City of Linden, deems it in the best interest of the City of Linden to amend the agreement entered into with the New Jersey Audubon Society on March 18, 2008 to create a comprehensive environmental education and structured presence at the Linden Gateway Project; and

**WHEREAS,** in a proposal dated February 3, 2017, the New Jersey Audubon Society has submitted a request for additional funds for Tasks 1-6 in the amount of $28,260.00; and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose which will be charged to account/line item No. C-04-55-907-477-919 and;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY LINDEN** as follows:

1. The City of Linden and the New Jersey Audubon Society shall enter into a Memorandum of Understanding, in such form as approved by the Law Department to provide such services as required under the Administrative Consent Order.
2. The Mayor, City Clerk, or their designees, are hereby authorized and directed to execute such Memorandum of Understanding and to affix the corporate seal thereon.
3. This Resolution shall take effect immediately.

Virgina Malik, 1633 Lenape Road. Ms. Malik asked what was being done with this. Mr. Bodek responded that it is tied to the ACO for the Landfill, and has been done every year. He explained the Audubon Society’s role at the landfill, and the services that they provide.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-103**

**RESOLUTION APPROVING A CONTRACT WITH REMINGTON, VERNICK & ARANGO ENGINEERS FOR MAINTAINING TAX MAPS FOR THE YEAR 2017**

**WHEREAS**, the City Council of the City of Linden has determined that it would be in the best interests of the City of Linden to retain the services of a licensed land surveyor to maintain and update the Tax Maps for 2017 in accordance with N.J.A.C. 18:23A-1.27; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Remington, Vernick & Arango Engineers submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-165-124-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Remington, Vernick & Arango Engineers, The Presidential Center, Lincoln Building, Suite 130, 101 Route 130, Cinnaminson, New Jersey 08077, in an amount not to exceed $2,000.00, in accordance with their proposal dated November 1, 2016; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Remington, Vernick & Arango Engineers and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an agreement with Remington, Vernick & Arango Engineers to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published according to law.

Virgina Malik, 1633 Lenape Road. Ms. Malik asked if there was some type of redistributions of homes and properties that the City needs someone to maintain its tax maps. President Alvarez noted there are a number of reasons that result in a need to update of the tax maps. He also spoke about the need to hire a firm to provide this service.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-104**

**A 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 RESOLUTION NO. 2012-220 AND 2012-231” PASSED JUNE 21, 2016 AND APPROVED JUNE 22, 2016**

**WHEREAS**, at the June 21, 2016 Council Meeting, City Council passed Resolution No. 2016-250 approving awarding the lease of property known as 384 N. Wood Avenue to ABA Equities, LLC in the City of Linden and rescinding Resolution No. 2016-220 and 2012-231; and

**WHEREAS**, said a lease agreement was never executed therefore Resolution No. 2012-220, Resolution No. 2012-231 and Resolution No. 2016-250 are all hereby rescinded; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** as follows:

1. That Resolution No. 2016-292 entitled “RESOLUTION AWARDING THE LEASE OF PROPERTY KNOWN AS 384 N. WOOD AVENUE TO ABA EQUITIES, LLC IN THE CITY OF LINDEN AND RESCINDING RESOLUTION NO. 2012-220 AND 2012-231” passed June 21, 2016 and approved June 22, 2016 is hereby rescinded.
2. Resolution No. 2012-220 and Resolution No. 2012-231 are still hereby rescinded.
3. This Resolution shall take effect immediately.

Ms. Diane Wilverding, 150 E. Morris Ave. In response to Ms. Wilverding, Mr. Antonelli noted the property that was being addressed, and the reasons for the resolution.

**FOR ROLL CALL REFER TO RESOLUTION #2017-127.**

**RESOLUTION: 2017-105**

**RESOLUTION QUALIFING CERTAIN PROFESSIONALS TO PROVIDE SERVICES FOR SPECIAL COUNSEL AND ENGINEERING AND ENVIROMENTAL LANDFILL SERVICES**

**WHEREAS,** in accordance with N.J.S.A. 40A:11-2(6) the City of Linden (the “City”), County of Union, a municipal corporation of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the City pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4; and

**WHEREAS,** the Purchasing Agent of the City of Linden has received in accordance with a published notice, sealed qualifications for various positions; and

**WHEREAS,** pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2017;

**SPECIAL COUNSEL (OPRA)**

**Florio \* Kenny \* Raval**

**5 Marine View Plaza**

**Suite 103**

**PO Box 771**

**Hoboken, NJ 07030**

**Ruderman, Horn & Esmerado, PC**

**675 Morris Avenue**

**Suite 100**

**Springfield, NJ 07081**

**Chasan Lamparello Mallon & Cappuzzo, PC**

**300 Lighting Way Suite 200**

**Secaucus, NJ 07094**

**ENGINEERING & ENVIRONMENT LANDFILL SERVICES**

**T & M Associates**

**11 Tindall Road**

**Middletown, NJ 07748**

**CME Associates**

**3759 U.S. Highway #1 South**

**Suite 100**

**Monmouth Junction, NJ 08852**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** thatin accordance with N.J.S.A. 40A:11-2(6) on such basis as necessary, and for each of the approved and qualified vendors, a resolution approving each individual specific contract shall be considered by the Mayor and Council.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked why firms had to be qualified. Mr. Bodek explained that this was part of the RFQ process used by the City to qualify its professionals. He spoke about the similar resolution, adopted in January, that had a large amount of professionals on it, but these two specialties were not covered by that process. He noted the services that the professionals were being qualified for. President Alvarez helped explain the process to Ms. Malik.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-106**

**RESOLUTION DECLARING SURPLUS FOR SALE OR DISPOSITION NOT NEEDED FOR GOVERNMENT USE**

**WHEREAS,** N.J.S.A 40A:11-36 provides for the sale/disposal of surplus property not needed for government use; and

**WHEREAS,** the City of Linden desires to sell certain surplus property or dispose; and

**WHEREAS,** the items listed below are being declared surplus and not needed for municipal purpose; and

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public action or by other means as provided for in the statue using their best business discretion for the following items:

**various law books - see attached list**

**BE IT FURTHER RESOLVED** that the Purchasing Agent is hereby authorized to confirm the sale or disposal of said items.

**RESOLUTION:** **2017-107**

**RESOLUTION PROVIDING VISION PLAN FOR CITY**

**OF LINDEN EMPLOYEES**

**WHEREAS**, the City of Linden elects to provide a benefit program to its employees in the area of vision for a period commencing January 1, 2017 to December 31, 2020; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, which will be charged to account/line item No. 7-01-23-220-141-279, for year 2017, as attached hereto; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Acrisure and BGIA submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chairman of the Insurance Commission has certified that this meets the statute and regulations governing the award of said contracts;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY** as follows:

1. That Acrisure, LLC, 1460 Route 9 North, Suite 310, Woodbridge, New Jersey 07095, and BGIA, 900 Route 9 North, Suite 503, Woodbridge, New Jersey 07095 are authorized 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.

2. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (m) of the Local Public Contracts Law because the company of Vision Service Plan offers the City of Linden extensive administrative experience in the field of vision. Vision Service Plan submitted the most favorable quotations affording the most coverage and lowest cost for the best interests of the City of Linden.

3. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2017-108**

**RESOLUTION**

**TEMPORARY CAPITAL BUDGET FOR 2017**

**WHEREAS,** the City of Linden desires to introduce the 2017 Temporary Capital budget of said municipality.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden introduces the 2017 Temporary Capital Budget follows:

**Section 1.** The 2017 Temporary Capital Budget of the City of Linden is hereby introduced to read as follows:

**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

**Section 2.** The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2017 Capital Budget, to be included in the 2017 Capital Budget as adopted.

Ms. Diane Wilverding, 150 E. Morris Avenue. Ms. Wilverding noted how the expenditure of funds, for the landfill, made her nuts, and asked what the $500,000.00 was going for. Mr. Vircik responded with an explanation. Ms. Wilverding stated that in the past she had suggested the hiring of more engineers, for the City Engineering Department, so that they could do this work. Mr. Vircik and President Alvarez responded and explained why that was not possible.

**FOR COMMENTS ROLL CALL REFER TO RESOLUTION #2017-127.**

**RESOLUTION: 2017-109**

**RESOLUTION AMENDING RESOLUTION NO. 2016-276 ENTITLED, “RESOLUTION APPROVING THE AWARD OF A CONTRACT TO REMEDY ANALYTICS, INC. FOR THE CITY OF LINDEN” PASSED JULY 19, 2016 AND APPROVED JULY 20, 2016**

**WHEREAS**, the City of Linden passed Resolution, No. 2016-276 at the July 19, 2016 Council meeting awarding a contract to Remedy Analytics, Inc. for cost savings services regarding the employee prescription program for 2016; and

**WHEREAS**, said time period commenced on July 20, 2016 and expires December 31, 2019; and

**WHEREAS**, an amended Resolution is needed for said purpose;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** as follows:

1. Change in the date of the aforesaid services to reflect a commencement date of July 20, 2016 and expiration date of December 31, 2019.
2. The Mayor is hereby authorized and directed to execute the amended Resolution and any associated documents effectuating same.
3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2017-110**

**RESOLUTION** **APPROVING AN AWARD OF A CONTRACT TO**

**DEVELOPMENT DIRECTIONS, LLC TO OPERATE THE CITY OF LINDEN HOME IMPROVEMENT PROGRAM FOR 2017-2018**

**WHEREAS,** there exists a need for consulting services to operate the City of Linden Home Improvement Program for 2017 and 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Development Directions LLC submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS,** funds are available for this purpose in a Community Development Grant and/or Program income funds;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Extraordinary Unspecifiable Services be and hereby is awarded to Development Directions LLC, 2 City Hall Plaza, 2nd Floor, Rahway, New Jersey 07065 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; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Development Directions LLC and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Development Directions LLC to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in accordance with applicable law.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what is this program, why no one in the City can perform this function and where does the funding come from. Mr. Vircik responded and addressed each of Ms. Malik’s questions.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-111**

**RESOLUTION APPROVING A CONTRACT WITH DYNAMIC EARTH FOR TESTING AND INSPECTION OF MATERIALS FOR ANNUAL CONSTRUCTION PROGRAM FOR 2017**

**WHEREAS,** there exists a need for the testing and inspection of materials, under the supervision of a professional engineer, relative to the City of Linden’s annual construction program for 2017; and

**WHEREAS,** pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS,** in accordance with the provisions of N.J.S.A.19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Dynamic Earth submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS,** funds are available for this purpose in various improvement accounts and certification of availability of funds shall be made by the Chief Financial Officer or his designee at such time as services are ordered or otherwise called for;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Dynamic Earth, 245 Main Street, Suite 110, Chester, New Jersey 07930, at a fee not to exceed $10,000.00, in accordance with their proposal dated October 27, 2016, ; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Dynamic Earth and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Dynamic Earth to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in accordance with applicable law.

**RESOLUTION: 2017-112**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN**

**APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

**WHEREAS,** the City of Linden, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

**WHEREAS,** the City of Linden has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS,** the City of Linden intends to enter into a contract with the State Contract vendor WB Mason, 21 Commerce Drive, Cranbury, NJ 08512, State Contract Number 88839, T- 0052. Through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State contracts;

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Linden authorizes the Purchasing Agent to purchase certain goods or services from these New Jersey State Contract Vendors, pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED,** that the governing body of the City of Linden pursuant to N.J.A.C. 50:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED that** the duration of the contracts between the City of Linden and the State Contract Vendors shall be from January 1, 2017 through December 31, 2017.

**RESOLUTION: 2017-113**

**RESOLUTION APPOINTING Chasan Lamparello Mallon & Cappuzzo, PC TO SERVE AS SPECIAL COUNSEL FOR OPRA SERVICES**

**WHEREAS,** the City of Linden has a need for special counsel services with regard to OPRA; and

**WHEREAS,** the firm Chasan Lamparello Mallon & Cappuzzo, PC, have submitted qualifications for said services for 2017; and

**WHEREAS,** pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-120-103-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** as follows:

1. Chasan Lamparello Mallon & Cappuzzo, PC shall serve as Special Counsel for the City of Linden as aforesaid and shall be paid a fee not to exceed $17,500.00

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Chasan Lamparello Mallon & Cappuzzo, PC and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked why we need this and what are the services being provided. President Alvarez responded and answered the questions.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-114**

**A RESOLUTION DECLARING THE MONTH OF**

**FEBRUARY 2017 AS “BLACK HISTORY MONTH’**

**AND RECOGNIZING THE OUTSTANDING ACCOMPLISHMENTS OF**

**MUHAMMAD WILKERSON**

**WHEREAS,** the history of our Nation and State is inextricably linked to the heritage of our country’s Black Americans; and

**WHEREAS,** the history of Black Americans is the story of extraordinary individuals whose achievements have set examples for citizens of all races, who dedicated their lives to creating a nation where all people are created equal; and

**WHEREAS,** in 1926, Dr. Carter Woodson, an African-American who completed his PhD from Harvard started “Negro History Week” to focus people’s attention and to bring their notice to the role and contributions of African-Americans in American history which in 1976 was changed to a full month of celebration as “Black History Month;” and

**WHEREAS,** “Black History Month” is a celebration of the community to remember all African-American who made a great change in the life and outlook of all of our citizens; and

**WHEREAS,** the history of New Jersey has been enriched by Black New Jerseyans whose achievements have set the highest standards for people of all races and is also the story of countless nameless heroes; and

**WHEREAS,** Muhammad Wilkerson was raised in Linden and graduated from Linden High School. After high school, Wilkerson spent a year at [Hargrave Military Academy](https://en.wikipedia.org/wiki/Hargrave_Military_Academy" \o "Hargrave Military Academy). He subsequently enrolled at [Temple University](https://en.wikipedia.org/wiki/Temple_University), where he played for the [Temple Owls football](https://en.wikipedia.org/wiki/Temple_Owls_football) team. As a freshman at Temple in 2008, Wilkerson played in 11 games and recorded 13 [tackles](https://en.wikipedia.org/wiki/Tackle_(football_move)) and a [sack](https://en.wikipedia.org/wiki/Quarterback_sack). As a sophomore in 2009 he started all 13 games and recorded 58 tackles and six sacks. As a junior in 2010, Wilkerson recorded 68 tackles and 10 sacks. Following his junior season, he was named to the first-team All-[MAC](https://en.wikipedia.org/wiki/Mid-American_Conference) selection and the team defensive MVP; and

**WHEREAS,** Wilkerson was drafted by the New York Jets with the thirtieth overall selection in the 2011 NFL Draft. Wilkerson signed a four-year, $7.4 million contract on July 31, 2011. On July 15, 2016, Wilkerson signed a 5-year deal worth $86 million featuring $53 million guaranteed and a $15 million signing bonus; and

**WHEREAS,** in addition to a rigorous team schedule Muhammad gives back to the community through his foundation T.E.A.M. 96 Foundation Inc. through education, mentoring and scholarships; and

**WHEREAS,** The T.E.A.M 96 Foundation Inc. is a 501 C.3 non-profit organization, whose mission is to, “Providing a wide range of assistance and encouragement to high school student athletes with the vision of creating well rounded, higher education seeking motivated, law abiding citizens willing to give back to their communities;” and

**WHEREAS,** Muhammad Wilkerson embodies this mission through his many acts within the Linden community and the State of New Jersey; and

**WHEREAS,** the Council of the City of Linden wishes to recognize Muhammad Wilkerson for his professional success in the NFL and his commitment to young athletes.

**NOW THEREFORE BE IT RESOLVED** that the City of Linden wishes to thank Muhammad Wilkerson and his T.E.A.M. 96 Foundation, Inc for their charitable contributions and urge all of the citizens of the City of Linden to reflect upon the many contributions that he, and many other Black Americans have made to this City, State and Nation and to participate in the activities and programs that are held in observance of “Black History Month;” and

**BE IT FURTHER RESOLVED** that the Council of the City of Linden pay tribute and acknowledges the bravery, sacrifices, and accomplishments of Black Americans by declaring the month of February, 2016 Black History Month; and

**BE IT FURTHER RESOLVED** that this Resolution be entered in the minutes of the Council of the City of Linden and that a copy hereof be appropriately presented to Muhammad Wilkerson in recognition of the foregoing.

**RESOLUTION: 2017-115**

**A RESOLUTION DECLARING THE MONTH OF**

**FEBRUARY 2017 AS “BLACK HISTORY MONTH’**

**AND RECOGNIZING THE COMMUNITY SERVICE CONTRIBUTIONS OF**

**ELIJAH JOHNSON SR.**

**WHEREAS,** the history of our Nation and State is inextricably linked to the heritage of our country’s Black Americans; and

**WHEREAS,** the history of Black Americans is the story of extraordinary individuals whose achievements have set examples for citizens of all races, who dedicated their lives to creating a nation where all people are created equal; and

**WHEREAS,** in 1926, Dr. Carter Woodson, an African-American who completed his PhD from Harvard started “Negro History Week” to focus people’s attention and to bring their notice to the role and contributions of African-Americans in American history which in 1976 was changed to a full month of celebration as “Black History Month;” and

**WHEREAS,** “Black History Month” is a celebration of the community to remember all African-American who made a great change in the life and outlook of all of our citizens; and

**WHEREAS,** the history of New Jersey has been enriched by Black New Jerseyans whose achievements have set the highest standards for people of all races and is also the story of countless nameless heroes; and

**WHEREAS,** Elijah Johnson Sr. was born and raised in Lee County, South Carolina.

From an early age, he demonstrated his ability to juggle multiple activities and desire to help his community. During his high school years, he was a star player on the football team. ​In​ his senior year​, ​he​ not only ​led his team on the field​, but ​he​ also​ served the community by driving bus number 5708 which took ​other children to school; and

**WHEREAS, i**n his early adult life, Elijah relocated to Linden, New Jersey, where he worked for the refinery now known as Philips 66 for over 40 years. Elijah is married to Flora Johnson for over twenty years, together they have two children Elijah Jr. and Elisha, and he also has a daughter, Patricia, from an earlier relationship; and

**WHEREAS,** In addition to his full-time work he has a dedication to his community and entrepreneurial efforts. Elijah had a number of businesses in Linden and neighboring cities over the last few decades. He provided housing as a responsible property owner, employment too many people from the community and recreation through his infamous 1980s, local club/ banquet hall known as Linden Hall; and

**WHEREAS,** Elijah served on the Linden Board of Education from April 1995 to April 1998.  He later ran a campaign to become Linden’s 5th ward Councilman. Although unsuccessful, Elijah remained committed to being of service to his community. He became a frequent attendee and supporter of the annual Martin Luther King, Jr. commemorative committee celebration; and

**WHEREAS,** since 2011, Elijah has been an integral member of the ad-hoc committee dedicated to the annual celebration of Black History, acting in the capacity of committee chairman, he makes sure that the program served the community by acknowledging community member’s contributions to the City and to history.  Elijah served as an elected Union County Democratic Committee Member for the 5thward’s 2nd district.  In his role on the committee, he has been an extension of the councilmember and a confidant to many, providing political advice to officials throughout Linden and Union County; and

**WHEREAS,** the Council of the City of Linden wishes to recognize Elijah Johnson Sr. as an unsung hero for his many years of service, most of which has gone unknown to many, yet, greatly appreciated by many.​

**NOW THEREFORE BE IT RESOLVED** that the City of Linden wishes to thank Elijah Johnson Sr. for his many years of service and urge all of the citizens of the City of Linden to reflect upon the many contributions that he, and many other Black Americans have made to this City, State and Nation and to participate in the activities and programs that are held in observance of “Black History Month;” and

**BE IT FURTHER RESOLVED** that the Council of the City of Linden pay tribute and acknowledges the bravery, sacrifices, and accomplishments of Black Americans by declaring the month of February, 2016 Black History Month; and

**BE IT FURTHER RESOLVED** that this Resolution be entered in the minutes of the Council of the City of Linden and that a copy hereof be appropriately presented to Elijah Johnson Sr. in recognition of the foregoing.

**RESOLUTION: 2017-116**

**RESOLUTION AUTHORIZING A 2 YEAR (24 MONTH) EXTENSION TO RONKO DEVELOPERS, LLC TO FORECLOSE TAX SALE CERTIFICATE #A0900051**

WHEREAS, the City of Linden in accordance with Resolution # 2013-220 authorized a restricted Assignment of Tax Sale Certificate # A0900051, aka 1123 Hussa Street, from the City of Linden to Ronko Developers, LLC ; and

WHEREAS, pursuant to N.J.S.A. 54:5-114 et. Seq./Jones Act provisions, Ronko Developers, LLC is required to record final judgment within two years of May 21, 2013; and

WHEREAS, Ronko Developers, LLC has been diligently pursing a tax sale foreclosure, but complicated title, environmental issues and backlog of the foreclosure unit will make it impossible for Ronko Developers, LLC to record its final judgment within two years of May21, 2013: and

WHEAEAS, Reso # 2015-196 granted an extension through May 21, 2017, a written request has been received by Stacey L. Carron, CTC, Tax Collector requesting an additional 2 year extension to expire May 21, 2019 due to the ongoing complication of the foreclosure.

WHEREAS, N.J. S.A. 54:5-114.5 provides that the governing body on good cause shall have the power to extend the time and to grant further extension of the right of Ronko Developers, LLC to foreclose said tax lien; and

WHEREAS, said complicated title work, environmental issues are still ongoing;

NOW, THEREFORE, BE IT RESOLVED, by the City of Linden, as follows: Ronko Developers, LLC, is hereby granted a 2 year (24 month) extension to foreclose Tax Sale Certificate A0900051, and therefore, the Final Judgment needs to be recorded by May 21, 2019.

**RESOLUTION: 2017-117**

**RESOLUTION ENGAGING PENNONI ASSOCIATES FOR CONTRACT ADMINISTRATION ON THE WOOD AVENUE STREETSCAPE PROJECT # TAP-0617(300)**

**WHEREAS**, there exists a need for contract administration with regard to the Wood Avenue Streetscape Project; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Pennoni Associates, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-643-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102, at a fee not to exceed $128,828.78 in accordance with their proposal dated January 6, 2017; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between Pennoni Associates, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Pennoni Associates, Inc. effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published according to law.

Virginia Malik, 1633 Lenape Road. Ms. Malik questioned the need for this subcontractor type of services and why the City could not do it by itself. Mr. Vircik explained that under the terms of the grant the firm that did the design work could not do the inspection of the streetscape. He also explained why the City could not do this work in house.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-118**

**RESOLUTION AFFORDING YEARLY WAGE INCREMENTS FOR NON-BARGAINING UNIT DEPARTMENT HEADS**

**WHEREAS**, the Governing Body (“Governing Body”) of the City of Linden (“City”) adopted a resolution on November 8, 1989, wherein the Governing Body provided that all Department Heads shall be entitled to and shall receive no less than the benefits, monetary or otherwise, which have been granted or will be granted to the Linden Supervisor’s Association (succeeded by Teamsters Local 125), which resolution authorized salary increases to non-bargaining unit Department Head employees commensurate with the wage increases for Teamsters Local 125; and

**WHEREAS**, the City has also authorized yearly wage increments for non-bargaining unit Department Head employees who have not reached their maximum wage pursuant to the yearly City salary ordinance; and

**WHEREAS**,the Governing Body of the City has determined it to be in the City’s best interests to reinstate the prior resolution adopted on November 8, 1989 and to provide yearly wage increments for non-bargaining unit Department Head employees who have not reached their maximum wage pursuant to the yearly City salary ordinance.

**NOW THEREFORE BE IT RESOLVED** that the City re-adopts in full the November 8, 1989 Resolution as if fully set forth herein and shall further provide yearly wage increments for non-bargaining unit Department Head employees who have not reached their maximum wage pursuant to the yearly City salary ordinance.

**BE IT FURTHER RESOLVED** that all other resolutions inconsistent with this resolution are hereby amended to the extent necessary to make same consistent herewith.

**BE IT FURTHER RESOLVED** that if any section, subsection, provision, clause, or portion of this resolution is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefrom.

**RESOLUTION: 2017-119**

**A RESOLUTION TO RESCIND RESOLUTION NO. 2016-377 ENTITLED,**

**“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN ALLOWING JOHNSTON COMMUNICATIONS TO CONDUCT AN AUDIT OF THE CITY’S VOIP SYSTEM” PASSED NOVEMBER 22, 2016**

**AND APPROVED NOVEMBER 23, 2016**

**WHEREAS**, at the November 22, 2016 Council Meeting, City Council passed Resolution No. 2016-377 allowing Johnston Communications to conduct an audit of the City’s VIOP system; and

**WHEREAS**, it is in the best interests of the City of Linden not to pursue same; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** as follows:

1. That Resolution No. 2016-377 entitled **"** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN ALLOWING JOHNSTON COMMUNICATIONS TO CONDUCT AN AUDIT OF THE CITY’S VOIP SYSTEM” passed November 22, 2016 and approved November 23, 2016 shall be and the same is hereby rescinded.

2. This Resolution shall take effect immediately.

**RESOLUTION: 2017-120**

**A RESOLUTION TO RESCIND RESOLUTION NO. 2017-91 ENTITLED,**

**“RESOLUTION ON AMENDING RESOLUTION 2016-276 APPROVING THE AWARD OF A CONTRACT TO REMEDY ANALYTICS, INC. FOR THE CITY OF LINDEN” PASSED JANUARY 17, 2017 AND APPROVED JANUARY 18, 2017**

**WHEREAS**, at the January 17, 2017 Council Meeting, City Council passed Resolution No. 2017-91 approving the amendment to Resolution 2016-276 awarding a contract to Remedy Analytics, Inc. ; and

**WHEREAS**, said Resolution was not in the correct format; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** as follows:

1. That Resolution No. 2017-91 entitled **"** RESOLUTION ON AMENDING RESOLUTION 2016-276 APPROVING THE AWARD OF A CONTRACT TO REMEDY ANALYTICS, INC. FOR THE CITY OF LINDEN” passed January 17, 2017 and approved January 18, 2017 shall be and the same is hereby rescinded.

2. This Resolution shall take effect immediately.

**RESOLUTION: 2017-121**

**RESOLUTION AUTHORIZING THE FILING OF A MUNICIPAL**

**RECYCLING GRANT APPLICATION** **FORM WITH THE NEW JERSEY DEPARTMENT OF** **ENVIRONMENTAL PROTECTION AND ENERGY**, **OFFICE OF RECYCLING**

**WHEREAS,** the City of Linden has adopted an Ordinance providing for the collection of newspapers by the City of Linden on August 17, 1982 and approved August 18, 1982; and

**WHEREAS,** said Ordinance and amendments thereto requiring the recycling of glass containers and aluminum cans have actually been implemented under the direction of the Superintendent of Public Works within the City of Linden; and

**WHEREAS,** it is the intent and spirit of the Recycling Act P.L. 1981, c. 278 to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**

**LINDEN** that the Public Works Department of the City of Linden is hereby authorized to apply for a Municipal Recycling Grant as authorized by the New Jersey Department of Environmental Protection and Energy, Office of Recycling; and

**BE IT FURTHER RESOLVED** that the Mayor, City Clerk and authorized personnel from the Public Works Department shall be permitted to sign any documents necessary to implement the application in order to obtain the grant for the year 2016; and

**BE IT FURTHER RESOLVED** that a copy of the Ordinance providing for the recycling of glass containers, aluminum cans and used newspapers by the City of Linden is attached hereto and made a part of this Resolution.

**RESOLUTION: 2017-122**

**RESOLUTION AUTHORIZING THE RE-ESTABLISHMENT OF A PETTY CASH**

**FUND IN THE DEPARTMENT OF SOCIAL SERVICES**

Whereas, the Director of Social Services, Mary Ellen Tango has permission from the State of New Jersey, Division of Local Government Services to maintain petty cash funds; and

Whereas, in accordance with the law, all petty cash funds must be turned over to the Chief Financial Officer/Municipal Treasurer at the end of each year in the same amount as was originally issued.

Now therefore be it resolved by the Governing Body of the City of Linden that the Chief Financial Officer/Municipal Treasurer is hereby authorized to re-establish the petty cash funds for the year 2017 as follows:

Mary Ellen Tango - $100.00

**RESOLUTION: 2017-123**

**RESOLUTION APPROVING A CONTRACT WITH RICCI PLANNING FOR ON-CALL PLANNING SERVICES**

**WHEREAS**, there exists a need for on-call Planning Services relative to redevelopment studies, amendments to City Ordinances, studies to create Special Improvement Districts as well as consultation on upcoming projects and associated meetings; and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, in accordance with the provisions of N.J.S.A.19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Ricci Planning submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, funds are available for this purpose in various accounts and certification of availability of funds shall be made by the Chief Financial Officer or his designee at such time as services are ordered or otherwise called for;

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-165-124-254;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Ricci Planning, 10 Georgian Drive, at a fee not to exceed $17,500.00, in accordance with their proposal dated October 31, 2016, ; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Ricci Planning and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Ricci Planning to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in accordance with applicable law.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what is on call Planning service. Mr. Bodek responded and explained what the service were. Mr. Antonelli and President Alvarez also responded with explanations.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-128.**

**RESOLUTION: 2017-124**

**A RESOLUTION AUTHORIZING Stacey L. carron, TAX COLLECTOR, TO COMPLETE APPLICATION TO PARTICIPATE IN ELECTRONIC TAX SALE PROCESS**

**WHEREAS**, N.J.S.A. 54:5-19, authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

**WHEREAS**, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

**WHEREAS**, Tax Collector, Stacey L. Carron has advised that an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS**, It is recommended that Stacey L. Carron be authorized to complete the necessary application for the City of Linden to participate in the electronic tax sale program; and

**NOW, THEREFORE, BE IT RESOLVED** **BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the City of Linden wishes to participate in the pilot program for an electronic tax sale; and

**BE IT FURTHER RESOLVED** that Stacey L. Carron, Tax Collector shall and hereby is authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**RESOLUTION:2017-125**

**RESOLUTION APPROVING A CONTRACT WITH ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com, for internet-based electronic tax sale processing for 2017**

**WHEREAS,** there exists a need for a vendor to administer tax lien services related to ELECTRONIC TAX SALE PILOT PROGRAM for the City of Linden’s annual tax sale to be held in June of 2017; and

**WHEREAS,** pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, Pursuant to N.J.S.A. 54:5-19.1(c) **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** has qualified as an eligible vendor subject to the rules and regulations promulgated by the Director of Local Government Services.

**WHEREAS,** funds are available for this purpose in the Tax Collectors Tax Sale Budget line item and certification of availability of funds shall be made by the Chief Financial Officer or his designee at such time as services are ordered or otherwise called for;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** 306 Harlingen Road, Belle Mead, NJ 08502, at a fee not to exceed $15.00 per item listed, in accordance with their proposed contract; and **BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with **ROK INDUSTRIES, INC. d/b/a**

**NJTaxlieninvestor.com** to effectuate the foregoing; and

**RESOLUTION: 2017-126**

**RESOLUTION OF THE CITY OF LINDEN, COUNTY OF UNION AUTHORIZING A FEE FOR NOTICES PERTAINING TO ELECTRONTIC TAX SALES**

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send three (3) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of $25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the City of Linden wishes to charge $25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by the Council of the City of Linden that a fee of $25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2017 electronic tax sale.

**RESOLUTION: 2017-127**

**EMERGENCY SNOW PLOWING AND HAULING SERVICES ON AN AS NEEDED BASIS**

**FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the City of Linden wishes to obtain emergency snow plowing and hauling services on an as needed basis from Ed Mack Trucking LLC, 1130 Debra Drive, Linden, NJ 07036 for the Public Works Dept.; and

**WHEREAS,** N.J.S.A. 40A:11-6 provides for the solicitation of responsive quotes and the award to a vendor whose response is most advantageous, and other factors considered; and

**WHEREAS,** Ed Mack Trucking LLC was solicited for quotations; and

**WHEREAS,** The City of Linden contacted several companies to respond to the emergency snow plowing/hauling services on an as needed basis;

**WHEREAS,** Ed Mack Trucking LLC provided the most advantageous quote, and others factors considered in the amount of $130.00 per hour not to exceed $25,000; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to 7-01-26-291-173-255; and

**NOW THEREFORE BE IT RESOLVED** Ed Mack Trucking LLC be awarded a contract for contingency emergency snow plowing and hauling at $130.00 not to exceed $25,000;

**BE IT FURTHER RESOLVED**, that the Mayor, Council President, City Clerk and/or such other city officials as is necessary and proper be authorized to execute such documents as necessary to implement this resolution.

Ms. Diane Wilverding, 150 E. Morris Ave. Ms. Wilverding asked what these trucks would be hauling. Mr. Micucci responded and explained what the trucks would be used for, and under what conditions. He noted that the contract was on as needed basis.

Mr. Brown moved for approval of Resolutions #2017-97, #2017-104, #2017-108 and #2017-127. The

motion was seconded by Mr. Brooks and was unanimously ordered approved.

**RESOLUTION: 2017-128**

**RESOLUTION APPROVING A CONTRACT WITH RICHARD CHAIKEN OF APPRAISAL CONSULTANTS**

**FOR AN APPRAISAL OF THE ST. GEORGES AVENUE REDEVELOPMENT AREA**

**WHEREAS**, there exists a need for consulting services for an appraisal of land known as the St. Georges Avenue Redevelopment Area; and

**WHEREAS**, in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through fair and open process; and

**WHEREAS**, APPRAISAL CONSULTANTS 293 Eisenhower Parkway, Suite 200 Livingston, NJ 07039 submitted a qualification to the City and has qualified for the aforesaid service for 2017, and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered Professional Services as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to charged to Account No. 7-01-20-151-209-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**

**LINDEN** that a contract for Professional Services be and hereby is awarded to APPRAISAL CONSULTANTS Address at a fee not to exceed $8,500.00 in accordance with their proposal dated November 3, 2016; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between APPRAISAL CONSULTANTS and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with APPRAISAL CONSULTANTS to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in according to law.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked for the explanation of the service. President Alvarez responded.

**Mr. Brown moved for approval of Resolutions #2017-99, #2017-100, #2017-102, #2017-103,**

**#2017-105, #2017-110, #2017-117, #2017-123 and #2017-128. The motion was seconded by Mr.**

**Brooks and was unanimously ordered approved.**

**RESOLUTION: 2017-129**

**RESOLUTION OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DESIGNATING VVR DEVELOPERS, LLC 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**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.*, as amended

from time to time (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute “areas in need of redevelopment,” as defined in the Redevelopment Law; and

**WHEREAS**, in accordance with the Redevelopment Law, the municipal council (the “**City Council**”) of the City of Linden (the “**City**”) on June 17, 2003, designated an area consisting of certain properties identified on the tax map of the City as Block 84, Lots 1, 4, 5, 6, and 7, and Block 91, Lots 1-12 (together, the “**Property**”) as an area in need of redevelopment; and

**WHEREAS**, in order to facilitate the redevelopment of the Property, the City Council also authorized the preparation of a redevelopment plan for the Property pursuant to the authority granted under the Redevelopment Law; and

**WHEREAS**, Ricci Planning has prepared, and the City Council has adopted, the redevelopment plan entitled “St. Georges Avenue Redevelopment Area – Phase II,” (the “**Redevelopment Plan**”), providing the development standards for the Property; and

**WHEREAS**,pursuant to *N.J.S.A.* 40A:l2A-4, the City Council has designated the City to act as the “Redevelopment Entity” (as such term is defined at *N.J.S.A.* 40A:12A-3) for the Redevelopment Area and to exercise the powers contained in the Act to facilitate the development of the Project (as defined herein); and

**WHEREAS,** the City wishes to conditionally designate VVR Developers, LLC, (“**Conditional Redeveloper**”) as redeveloper of the Redevelopment Area for a period not to exceed ninety (90) days upon passage of the instant Resolution, conditioned upon the successful negotiation of a redevelopment agreement for the Redevelopment Area (the “**Redevelopment Agreement**”).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LINDEN, COUNTY OF UNION, STATE OF NEW JERSEY AS FOLLOWS:**

1. The recitals are incorporated herein as if set forth in full.
2. The City hereby designates Conditional Redeveloper as redeveloper of the Redevelopment Area for a period not to exceed ninety (90) days upon passage of the instant Resolution, conditioned upon the successful negotiation of a Redevelopment Agreement, and hereby further directs and authorizes Redevelopment Counsel along with such other City officials as may be necessary, to negotiate a Redevelopment Agreement with Conditional Redeveloper during that time.
3. If, at the expiration of ninety (90) days from the date of approval of the instant Resolution, the City shall not have: (i) authorized the execution of the Redevelopment Agreement with Conditional Redeveloper; or (ii) extended the period of the designation of Conditional Redeveloper and the time for negotiations set forth in this Resolution, then the designation of Conditional Redeveloper as redeveloper of the Redevelopment Area shall terminate without the need for any other action by the City to evidence same.
4. This Resolution shall take effect immediately.

Resolution #2017-130 was read into the minutes by the City Clerk.

**RESOLUTION: 2017-130**

**State Of New Jersey**

**Department Of Environmental Protection**

**Green Acres Enabling Resolution**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the New Jersey Audubon Society, in partnership with the City of Linden, desires to further the public interest by obtaining funding in the amount of $868,925.00 from the State to fund the following project(s):

Hawk Rise – Final Phase

Hawk Rise provides scenic and environmentally vibrant walking trails and ample bird-watching opportunities to an area that prior to development, was gated off and hidden behind industrial land uses. The site, a 95-acre ecological preserve and wetland complex in Linden, was carved out of a former landfill and within it, contains an abundance of diverse habitats for a relatively small and urban location. This application formulates the final stage of Hawk Rise Sanctuary’s development and intends to complete the unfinished trails in the sanctuary, finalize tourist related infrastructure, complete signage and information boards in the park, continue the conservation of this beautiful open and mixed-use development space and continue meeting the recreational needs of the surrounding community at a cost of $1,737,850.00.

NOW, THEREFORE, the governing body/board resolves that the New Jersey Audubon Society or the successor to the office of the Mayor of the City of Linden, NJ is hereby authorized to:

(a) make application for such a loan and/or such a grant,

(b) provide additional application information and furnish such documents as may be required, and

1. act as the authorized correspondent of the above-named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN

1. That the Mayor of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Hawk Rise Sanctuary;

2. That the City of Linden will provide the matching share of the project at no cost to the NJ Audubon, if a match is required, in the amount of $868,925.00;

3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;

4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and

5. That this resolution shall take effect immediately.

Mr. Brown moved for approval of Resolution #2017-130. The motion was seconded by Mrs. Ormon and on a roll call vote was unanimously ordered approved

**ORDINANCES ON INTRODUCTION**

**An Ordinance entitled:**

#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.

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-5 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

On motion of Mr. Javick, seconded by Mr. Brown the foregoing Ordinance was on roll call vote ordered

approved by all voting yes with the exception of Mrs. Cosby-Hurling and Mrs. Hickey who were both

excused from the meeting.

**An Ordinance entitled:**

#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.”)

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-6 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

On motion of Mr. Javick, seconded by Mr. Brown the foregoing Ordinance was on roll call vote ordered

approved by all voting yes with the exception of Mrs. Cosby-Hurling and Mrs. Hickey who were both

excused from the meeting.

**An Ordinance entitled:**

#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

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-7 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

On motion of Mr. Ormon, seconded by Mr. Brown the foregoing Ordinance was on roll call vote ordered

approved by all voting yes with the exception of Mrs. Cosby-Hurling and Mrs. Hickey who were both

excused from the meeting.

**An Ordinance entitled:**

#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.

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-8 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

On motion of Mrs. Yamakaitis, seconded by Mr. Sadowski the foregoing Ordinance was on roll call vote

Ordered approved by all voting yes with the exception of Mrs. Cosby-Hurling and Mrs. Hickey who were

both excused from the meeting.

**An Ordinance entitled:**

#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.

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-9 was introduced by Mr. Medina and was read on first reading by the Deputy Clerk.

On motion of Mr. Medina, seconded by Mr. Sadowski the foregoing Ordinance was on roll call vote

Ordered approved by all voting yes with the exception of Mrs. Cosby-Hurling and Mrs. Hickey who were

both excused from the meeting.

**An Ordinance entitled:**

#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.

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-10 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mr. Strano, seconded by Mrs. Ormon the foregoing Ordinance was on roll call vote

Ordered approved by all voting yes with the exception of Mrs. Cosby-Hurling and Mrs. Hickey who were

both excused from the meeting.

**An Ordinance entitled:**

#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.

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-11 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

On motion of Mr. Javick, seconded by Mr. Brown the foregoing Ordinance was on roll call vote

ordered approved by all voting yes with the exception of Mrs. Cosby-Hurling and Mrs. Hickey who were

both excused from the meeting.

**COMMENTS FROM MEMBERS OF THE PUBLIC**

There were no members of the public seeking to comment

Mr. Sadowski moved to close the Public Comment session. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mr. Brooks offered his prayers to the Hudak family. He also announced that on March 8th he would be hosting a Community meeting, and provided the details.

Mrs. Ormon informed all that at 6:00 pm, this evening the Linden Police responded to a report of a suspicious package in the 1100 block of W. St. Georges Ave. She outlined the steps taken by the police, and asked residents to stay clear of the area. She congratulated those individuals, from the Fire Department, who were promoted this evening. She spoke about the attributes of those promoted.

Mrs. Yamakaitis sent out happy birthday greetings to Mr. Henry Mack (Redding) who is a regular at Council meetings.

**ANNOUNCEMENTS**

Council President Pro Tempore Yamakaitis made the following announcements:

**The following Council Meetings will be held as follows:**

**\*Council Conference meeting:**

**Monday, March 20, 2017 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Conference meeting prior to the Council meeting:**

**Tuesday, March 21, 2017 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting: Tuesday, March 21, 2017 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.**

**ADJOURN**

There being no further business to come before the Governing Body, Mr. Strano moved to adjourn the meeting. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:32 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk