**Minutes of the Regular**

**Meeting of the 2017 Council of the**

**City of Linden, held Tuesday**

**January 17, 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, January 17, 2017 at 7:00 pm The meeting was called to order by Council President Pro Tempore Michele Yamakaitis 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 Pro Tempore Michele Yamakaitis informed those present of the proper procedures for exiting the room in the event of an emergency.

Council President Pro Tempore Michele Yamakaitis 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 Pro Tempore Michele Yamakaitis 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

Councilwoman Cosby-Hurling

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Pro Tempore Michele Yamakaitis announced that Mr. Alvarez was excused.

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**APPROVAL OF MINUTES**

Mrs. Hickey moved for approval of the minutes of the December 20, 2016 and January 3, 2017 Council Meetings. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

**PRESENTATIONS**

**NATIONAL LEAGUE OF CITIES FIVE GOLD MEDAL AWARD – COUNCILWOMAN RHASHONNA COSBY-HURLING**

Mrs. Yamakaitis called upon Mrs. Cosby-Hurling to come forward for the presentation. Mrs. Cosby-Hurling called up Kedesch E. Altidor-Dorcely, of the United States Department of Human Services, Region II, to make the presentation on behalf of the National League of Cities. Mrs. Cosby-Hurling explained what the award was for. Ms. Alitdor-Dorcely noted that she represents First Lady Michelle Obama, and several other officials. She spoke about the First Lady’s initiative that this award was based on, and the reasons for Mrs. Cosby-Hurlings, and Linden’s selection for this award. Mrs. Cosby-Hurling thanked Ms. Alitdor-Dorcely, all those that participated in the programs, and stated that she looked forward to continuing her efforts to deal with childhood obesity.

**NJDEP AWARD TO COX PRINTERS**

Mrs. Yamakaitis called upon Mayor Armstead, Mr. Strano and Janet Miller and Jeff Cox of Cox printing for a presentation. Mayor Armstead spoke about the reasons that Cox printers was being honored this evening. He urged individuals to stop by and see their operation, and noted some of their environmentally friendly efforts. He spoke about his observances when he stopped there. He then read the resolution honoring them for being selected by the NJDEP’s for their 2016 Environmental award for recycling. Mr. Cox spoke and invited all to see their operation and noted some of their environmental friendly efforts.

**2016 TOP 25 LEADING WOMEN ENTREPRENEURS TO COURTNEY VILLANI**

Mrs. Yamakaitis called upon Mayor Armstead, Mr. Strano and Ms. Villani, of the Villani Bus Company to come forward. Mayor Armstead spoke about being a parent, and how priceless it is to watch your children grow up to be productive. He stated that the Mr. and Mrs. Villani to be so proud of their daughter, and spoke about some of her accomplishments. The Mayor then read the resolution honoring Ms. Villani. Ms. Villani thanked Mayor Armstead, Councilman Strano and all of the members of Council. She acknowledged her parents, aunts, spoke about how proud she was to be a member of the Linden community and noted that the bus company was started by her grandfather in 1919.

**ORDINANCES ON HEARING**

Council President Pro Tempore Michele Yamakaitis announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:

**#61-1 AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR THE ST. GEORGES AVENUE REDEVELOPMENT AREA – PHASE II.**

Council President ProTempore Yamakaitis 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 Council President Pro Tempore Yamakaitis inquired if there were any written objections.

The Clerk read a letter from Joseph LaPlaca, President of the Linden Planning Board noting that upon review of the Planning Board the amendment was consistent with the City of Linden’s Master Plan. Council Pro Tempore Yamakaitis inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk. There were none.

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

**CONSENT AGENDA**

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

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

2017 Taxes $215,014.31

2016 Taxes $1,068,969.57

2015 Taxes $250.00

Garbage Fee Payments $51,227.34

Garbage Fee Penalty $4,080.00

Municipal Lien Redemption $47,678.96

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $50.00

Year End Penalty $0.00

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $40.00

Returned Check 2017 (0.00)

Returned Check 2016 ($0.00)

Returned Check Interest ($0.00)

Returned Online Payment 2016 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Adv. Before Tax Sale $0.00

Premium $0.00

Sewer Clean out charge $1,600.00

DPW Reso payments $0.00

Interest $65,221.41

Total $1,454,151.59

**Tax Sale** Requesting the refund of the premium paid at the 2013 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

72 11 11/30/16 12-00058 $4,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,900.00 payable to US Bank Cust BV Trst 2015-1, 50 South 16th Street, Suite #19, 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**

117 8 12/29/16 14-00086 $12,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $12,400.00, 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 2015 & 2016 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

148 5 1/5/17 15-00098 $1,400.00

321 3 12/28/16 14-00229 $3,600.00

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

block & lot.

**Block Lot Redemption Date CTF# Amount**

309 3 1/5/17 13-00306 $88,600.00

309 4 1/5/17 13-00307 75,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $163,700.00 payable to: US Bank Cust for Pro Cap 4 & 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 2016 tax sale on the following

blocks & lots.

**Block Lot Redemption Date Cert# Premium**

392 6 1/6/17 15-00230 $1,500.00

556 16 12/27/16 15-00332 $2,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,000.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #7-01-55-276-999-956.

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

lot.

**Block Lot Redemption Date CTF# Amount**

411 13 12/27/16 15-00238 $11,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $11,600.00 payable to 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 2016 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

524 13 12/29/16 15-00302 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,400.00 payable to: KCC Promised Lands, LLC, 2560 Route 22 East, # 175, Scotch Plains, NJ 07076 charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2013 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

549 2 12/29/16 12-00271 $18,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $18,700.00 payable to: Sunshine State Certificates IV, LLLP, Bank United Trustee, 7900 Miami Lakes Drive West, Miami Lakes, FL 33016, charging same to account

#-7-01-55-276-999-956.

**Refund** Block 413 Lot 1, 1731 Valley Road

Garbage Overpayment Request

There now exists a credit balance on the above referenced block & lot due to the title agency paying a duplicate payment of $60.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $60.00 payable to: Weichert Title Agency, 1909 Rt. 70 East, 2nd Floor, Cherry Hills, NJ 08003 charging same to account #7-01-08-607-011.

**Veteran Deduction** Cancellation & Refund of Property Taxes, Block 394 Lot 8

Manuel Figueirdo, 1549 Cornell Drive

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of June 8, 2016. Mr. Figueirdo is entitled to the 100% Disabled Veteran Status for 50 % exempt status for part of 2016 per Michael Frangella. The following is the amount billed that needs to be cancelled for 2016. This will be 100% tax exempt going further. The property owner is entitled to a refund in the amount of $2,876.51

Partial 2016 June 8, 2016- December 31, 2016 (50% Exempt only)

**Refund $2,876.51**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,876.51 payable to: Manuel Figueirdo, 1549 Cornell Drive, Linden, NJ 07036, charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block PIPE.LINE Lot 2, Buckeye Perth Amboy Terminal, LLC

Real Property

There now exists a credit balance on the above referenced block & lot due to the property being sold and dismantled. There for the former owner is entitled to a refund in the amount of $1,691.66.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,691.66 payable to: Buckeye Partners, LP Co Property Tax, P.O. Box 56169 Houston, TX 77256, charging same to account #7-01-55-288-999-904.

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

1. Requesting approval of the following refunds:
2. CSDCMAC Refund, 582 Jackson Avenue, Elizabeth, NJ

Laura Arias is entitled to a refund of $70.00 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 $70.00 payable to Laura Arias, 582 Jackson Ave, Elizabeth, NJ 07201 charging same to 7-01-55-401-999-918.

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

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

Clerk’s Office:

Application Number Applicant Game Fees Collected

BA-1600 LHS NJROTC Bingo $20.00

RA-1601 LHS PTSA 50/50 $20.00

RA-1601 LHS PTSA Tricky Tray $20.00

**(\*\*\*) BOARD OF HEALTH:**

1. Advising that the Board of Health issued Forty-Four (44) Certificates of Occupancy for the month of December 2016.

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

1. Advising that the following City of Linden employees have filed for retirement:

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

Fire Dept. Gregory Weber Fire Captain Feb. 1, 2017

Police Dept. Daniel Sadowski Police Officer Feb. 1, 2017

Mrs. Ormon moved for approval of the consent items #1 through #5. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved by a roll call vote.

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

First Ward

Mrs. Ormon noted that what was listed as item #10, on the Personnel Report was being tabled. Item #11 would become item #10.

Mrs. Ormon gave the following report of the Personnel Committee:

Tuesday, January 17, 2017

1. In the Police Department:
   1. Accept the separation from service of Paul Tarnawski as a per diem Public Safety Telecommunicator/Dispatcher effective December 27, 2016
   2. Accept separation from service of Police Recruit George Soberal effective 12/29/16
   3. Hiring Katarzyna Dziadosz and Joli Done as full time Clerk 1s for the Record Bureau at the starting annual salary of $34,548 effective February 1, 2017
   4. Permission granted to the Police Chief to hire one lateral transfer due to the vacancy in the recruitment class of January 2017.
   5. Salary adjustment for Police Officer Kevin J. Stanicki to $59,730 based upon prior experience and training effective retroactively to December 27, 2016.
2. In the Department of Public Property and Community Service:
   1. The hiring of Laron Capers for the Recreation Seasonal Program from 1/1/17 to 7/31/2017 at LMPC at the rate of $12.00 per hour.
   2. The provisional appointment of Nancy Braxton as Recreation Supervisor pending the promulgation of a certified list of eligibles by the Civil Service Commission with a salary of $73,034 effective January 18, 2017 to fill a current vacancy.
   3. The provisional appointment of Bradley Creanzo as Audio Visual Specialist pending the promulgation of a certified list of eligibles by the Civil Service Commission with a salary of $44,210.00, effective January 18, 2017
   4. The appointment of Reginald Webb, Nicholas Melnyk and David Martinez as Public Work Supervisors pursuant to the Civil Service Commission’s list of eligible to fill current vacancies effective January 18, 2017. R. Webb & D. Martinez shall have no change in salary. N. Melnyk’s annual salary will be $69,500.
   5. The appointment of Brian Jones as Mechanic Tier 2 at the starting hourly rate of $18.00 per hour, effective February 6, 2017, pursuant to the Civil Service Commission’s list of eligibles to fill a current vacancy, subject to satisfactory completion of the City’s background check.
3. In the Department of Engineering:
   1. The appointment of Dorota Kotowski, as a principal account clerk and to assist as the site plan administrator in the Engineering Department to serve as the liaison to the Secretary of the Planning Board at an annual stipend of $5,000.00 effective January 18, 2017. (developer escrow accounts can be charged to offset this expense)
4. Accept the separation of employment for Aja L. Faison as a confidential aide in the Mayor’s Office effective January 14, 2017
5. From the Personnel Division:
   1. The correction of the Civil Service titles, due to the consolidation of present titles by the Civil Service Commission, for the following employees:
      1. James Baird to Maintenance Repairer (heating and air conditioning) at no change in salary effective January 1, 2016
      2. Edward Fournier to Heating and Air Conditioning Mechanic at no change in salary effective January 1, 2016
      3. FMLA requests:
         1. Employee #283 intermittent FMLA/NJFLA leave from 1/1/17 to 12/31/17
         2. Employee #000105 intermittent FMLA leave from 1/1/17 to 12/31/17
      4. Employee, # 006017 out on paid sick leave until 2/7/2017
6. Permission to post for three mechanics of the Division of Municipal Garage and DPW Garage to fill existing vacancies
7. Permission to post for two laborers tier 2 in the Department of Public Property and Community Services to fill existing vacancies
8. Permission to post for two full time clerical positions for the Department of Public Property and Community Services
9. Permission is granted to Robert Clark in the Fire Department to carry over two vacation days from 2016 subject to the needs of the Department
10. Policy on chain of command

Mrs. Ormon asked if there were any questions.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked questions regarding items 2b, 3a, and 7 to which Mrs. Ormon and Mr. Roth responded to.

Mrs. Cosby-Hurling spoke about item 3a. She explained her understanding of the position, noting that the person had been recommended for a merit increase. She noted that the position already has someone in it that is being paid, and how can someone be placed into the position that is not vacant. Mrs. Cosby-Hurling stated that his was away around the issue of a merit increase, and giving this individual an increase. Next Mrs. Cosby-Hurling spoke on item 5a iv. She noted that the City of Linden was no longer offering employees leaves of absence. She explained that if an employee had sick time, they are allowed to take their sick time. If an employee exceeds their FMLA they are subject to discipline. Seeing that a leave of absence was being granted, here, it is going to cause a lot of problems, noting that two other employees had been denied a leave of absence, by Council, and as a result there maybe two lawsuits coming. Mr. Roth responded and explained what was being done and why. Mrs. Cosby-Hurling spoke about the work, over the last few years, of Personnel Committee to make the decisions fair and equitable for all employees. She urged individuals, who knew employees who were denied their leave of absences, should let them know to take action, immediately, if this item were to pass this evening. Next Mrs. Cosby-Hurling, noted that one of the items includes a provisional promotion, under Civil Service, but the report does not authorize the public posting of the position. She added that she was not sure why that wasn’t being done, but the rules do say to do that. Lastly, she spoke about the policy on the chain of command, how it was misleading, and gave an example to prove that it was silly. Mr. Roth responded explaining the purpose of the policy, and who council persons should be speaking to.

Mrs. Ormon moved for approval of the Personnel Committee. The motion was seconded by Mr. Strano and was ordered approved by a roll call vote, with all voting in favor, except for Mrs. Cosby-Hurling, who abstained, stating that she did not want to be accused, by anyone, of targeting because of how she would vote.

Mrs. Ormon provided updates, on a number of issues. She noted that the Key Foods deal, for the former Pathmark property, is not dead, and it is still being worked on with the bank, and it was her hope that it would cumulate in a grocery store moving back in. Mrs. Ormon also noted that this week is pickup for Christmas trees, and it would also be the week of January 30th. Leaf pickups would resume after that, however all leaves would have to be bagged.

Mrs. Ormon announced a joint community meeting of the First, Second and Third wards on January 25th. She provided the detail on the meeting and its purpose.

Second Ward

Mr. Javick noted that even though he is new to being Second Ward Council seat, the goals for the Second Ward will continue. He asked those with any concerns to reach out to him and inform him. He reported that he would be meeting with department heads to follow up on issues related to the Second Ward. Next he thanked the DPW for the job that they did removing snow, during the last storm.

Mr. Javick informed Second Ward residents on the joint First, Second and Third Ward community meeting.

Fourth Ward

Mr. Brooks gave the monthly report of the Division of Transportation and Parking. A total of $84,694.61 was collected from all sources for the month of December, 2016. Next he gave the report of the City Clerk’s office. A total of $5, 154.80 was collected from all sources, for the month of December. Next he gave the report of the City Clerk’s Office, Licensing Division, for the month of December a total of $9,074.00 was collected.

Mr. Brooks spoke about the inspiring Martin Luther King Day presentation that he and other members of the Council attended. He noted a minor issue, regarding the laying of the wreath, at the Dr. King Park, with people having to walk in mud to get to the moment. He added that he spoke with Mr. Vircik, about the possibility of having a walkway to address this issue. It is being looked into.

Mr. Brooks announced he would be presenting a Financial Aid Workshop on January 23rd. He noted that his role, with the Board of Education, he is the NCAA and FSA liaison. The workshop will be at First Baptist Church and he explained what it would cover. He also announced that a second workshop would be held at Tabernacle Emanuel on Bower Street, but had yet to confirm a date.

Mr. Brooks thanked DPW for their efforts during the recent storm. He next spoke about Baltimore Ave, between Union St. and Henry St., and that it becoming a dumping ground again. He asked the public help in ID’ing those doing the dumping. He asked that no one engage anyone dumping, but if they could get a description of the car, a license plate, and pass it on, it would be helpful. Next he spoke about parking complaints that he was receiving along Bower and Cleveland Avenues. He and the Mayor are working to address the situation. It is being caused by a new business, in the area, and the employees taking up resident’s parking spots. He added that the businesses, and residents, become better neighbors.

Fifth Ward

Mrs. Cosby-Hurling explained that in the Fifth Ward, they are having some issues with un-kept properties. She noted that she is working with the Health Department, and Construction Code to get those properties maintained. She also spoke about her efforts to address several other related issues. Next she explained that she is waiting to get the dog cutouts replaced in Iozzi Park, and has sent an email to Mr. MacDonald regarding geese control in the park, had not gotten a response to when the geese control people would be in the park. Mrs. Cosby-Hurling noted that she has sent other emails, but have not gotten an answer, but she is trying to do what she is supposed to do for her neighborhood. She then called upon Mr. MacDonald (who was present) to give a report. Mr. MacDonald stated that the City was under contract with a company called Goose Control Technologies, for about 12 years. The company services two sites in the City, Wilson Park and Memorial Park, that they regularly service. He explained how those sites were chosen and what was being done. Mrs. Cosby-Hurling stated that there is still an issue, and that the County of Union will provide goose control, as a shared service, at no cost to the City of Linden. She explained her reasons for having this issue addressed. Mr. MacDonald responded, noting that there are thirty-six (36) parks in the City of Linden, a number of them have similar issues, and it is caused by a transient geese population, which is very difficult to deal with. He added that he will continued to do what can be done that is logical and cost effective to do. A brief discussion followed between Mrs. Cosby-Hurling and Mr. MacDonald about reaching out to the County of Union for assistance.

Mrs. Cosby-Hurling informed all that a sidewalk would be installed, on Middlesex St. and Cranford Ave. There had previously been a sidewalk at this location, and the location needs one for safety reasons. Next she announced that she is serving on the Construction Code and Street Lighting Committee, and is the Chairperson. She then spoke about the role of the Chairperson of a committee, and her goals for the upcoming year. She noted her other assignments and goals for the year.

Mrs. Cosby-Hurling announced details about the upcoming casino night that the Linden Housing Authority was hosting. She also stated that she held a drawing to give away a free ticket to the event, and announced the winner of the drawing. She announced the details for an upcoming Community Meeting, and what was planned for the evening. Mrs. Cosby-Hurling also announced details for the Black History celebration that she was holding on February 7th, and details on the event, including the honorees.

Sixth Ward

Mr. Sadowski provided an update on activity being undertaken by the Linden-Roselle Sewerage Authority. Next he congratulated the Mikolajczyk family on their service in the Linden Police Department. Next he spoke about various traffic problems and that the Accident Review Committee is working hard to address them. He then announced that next month he will report further on the camera program and protecting homes.

Mr. Sadowski reminded Sixth Ward residents that they cannot make their own parking spots in front of their houses. He detailed what he was referring too, and that the process was illegal. He then thanked the DPW for helping a resident with a sewer that was backing up. He also thanked the Police Dept for their help in this matter. Mr. Sadowski reported on the automated garbage collection that would be coming to the Sixth Ward, the sizes of the collection cans that are available to residents, and how to obtain the smaller cans.

Mr. Sadowski gave the report of the Fire Prevention Bureau. The Bureau collected $38,198.31 in fees for the month of December, 2016.

Seventh Ward

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

1. The payment of bills totaling $1,965,660.84 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 December at the rate of .15%

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

Mr. Strano reported an environmental incident that shut down South Wood Ave., this afternoon. He then read reports, regarding the incident, from the Police and Fire Departments, and noted that two firefighters were injured during the incident. He thanked various agencies for their assistance in this matter, and noted this is a perfect example of why the Turnpike Connector Road needs to be built to keep these type of vehicles off of Linden roads and away from residents. He concluded by thanking DPW for their efforts during the recent snow storm.

Ninth Ward

Mr. Medina gave his library report, and noted a number of events that the Library and the Friends of the Linden Library would be hosting. Mr. Medina spoke about complaints that he had received regarding work being done by the gas and water companies, in the Ninth Ward. One chief concern is the companies starting work at 7:00 am, and Mr. Medina requested that an ordinance changing the time to 8:00 am be drafted and introduced. He explained the current ordinance and the reasons for requesting the change.

Mr. Medina announced that he was working on his newsletter, and it should be distributed in April/May. It will be an electronic release. He concluded by providing his contact information.

Tenth Ward

Mrs. Hickey spoke about the recent fire on Wilick Road, thanked all of the First Responders for their efforts, and talked about the amazing job done by the Fire Department in containing the fire. Next she spoke about the work being done by the gas company that she hasn’t had a lot of complaints, and they have had a lot of patience. She noted that DPW did a fabulous job during the recent snow.

Mrs. Hickey announced that ROTC came in first place for a Martin Luther King drill competition, their next competition is February 11th, and that they are hosting a fundraiser, tonight, at Chevy’s until 11 pm. She noted other events that individuals can participate in. Next she announced an event, called Smart Money, that was being hosted by two Linden residents and business woman. She explained what the event was about and details on attending.

Mrs. Hickey spoke about the amazing job done by Anthony Wohlrab around the holidays, for a number of families. On behalf of Mr. Wohlrab she gave a special thank you to several area businesses that helped out with donations. She made several other announcements on behalf of Mr. Wohlrab.

Mrs. Hickey reminded all about the Casino Night, being held by the Linden Housing Authority, and provided details on the event for those that wanted to participate and how the proceeds would be used.

Eighth Ward

Mrs. Yamakaitis reported on the demolition of the Park Plastics building, in the Eighth Ward. She also spoke about working to address various traffic issues in the ward and noted the installation of a new cross walk. She also requested, that if Mr. MacDonald was sending a letter to the County of Union, regarding the issue of geese to include the Eighth Ward Park, as part of the request.

Mrs. Yamakaitis announced a fundraising effort, by the High School Football team, regarding collection of shoes. She provided details on the event and how to participate.

**RESOLUTIONS**

**Virginia Malik, 1633 Lenape Road. Mrs. Malik removed Resolutions #2017-29, 30, 35, 37, 40, 46, 47, 63, 64, 65, 73, 79, 81, 89, 90, 91, 92, 94 and 95.**

**Mrs. Cosby-Hurling removed Resolution #2017-94.**

**Mrs. Ormon moved for approval of resolutions #2017- 96, with the exception of resolutions #2017-29, 30, 35, 37, 40, 46, 47, 63, 64, 65, 73, 79, 81, 89, 90, 91, 92, 94 and 95. The motion was seconded by Mr. Brooks and were ordered approved by a roll call vote, with all voting yes to all except Mrs. Cosby-Hurling who yes to all and no to resolution 2017-59.**

**RESOLUTION: 2017-26**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of December, 2016 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**

164233 12/1/16 NJMVC vehicle title 180.00

164230 12/1/16 300 N. Wood Avenue license agreement 4,998.40

12/2/16 Payroll payroll 2,149,506.13

12/6/16 Worker’s Comp. claims 24,378.91

12/6/16 Medco claims 94,963.50

12/12/16 Vision Service Plan claims 4,109.36

164243 12/12/16 Ready Fresh by Nestle payment 401.99

164241 12/12/16 Police & Fire retirement 1,660.33

164242 12/12/16 Rockwood Corp., replacement check 720.00

164240 12/12/16 Northfield replacement check 1,600.00

12/15/16 SHBP Retirees Dec. Health premium 582,512.12

12/15/16 SHBP Oct. Health premium 655,161.40

12/16/16 Payroll payroll 1,681,747.51

12/19/16 Worker’s Comp. claims 19,075.83

12/21/16 Worker’s Comp. claims 16,427.75

12/22/16 Medco claims 73,558.01

12/30/16 Payroll payroll 1,756,616.82

**CDBG**

164234 12/1/16 Preferred Remodeling replacement check 6,562.00

**TRUST**

164231 12/1/16 Sam’s Club tree lighting 242.78

164232 12/1/16 Five below toys tree lighting 408.00

164235 12/1/16 Walmart toys tree lighting 209.94

12/2/16 Payroll payroll 56,706.00

164239 12/12/16 Best Racing Systems replacement check 1,150.00

12/16/16 Payroll payroll 90,906.75

12/30/16 Payroll payroll 31,770.00

**GRANT**

12/2/16 Payroll payroll 6,338.08

12/16/16 Payroll payroll 7,138.13

12/30/16 Payroll payroll 3,987.44

**SANITARY LANDFILL**

12/2/16 Payroll payroll 2,539.50

12/16/16 Payroll payroll 2,520.00

12/30/16 Payroll payroll 2,614.50

**CAPITAL**

12/2/16 Payroll payroll 1,845.76

12/16/16 Payroll payroll 367.71

12/30/16 Payroll payroll 569.59

**UNEMPLOYMENT**

12/2/16 Payroll payroll 118.40

12/16/16 Payroll payroll 97.97

12/30/16 Payroll payroll 101.32

**RESOLUTION: 2017-27**

**RESOLUTION AUTHORIZING ACTING MUNICIPAL PROSECUTORS**

**FOR LINDEN MUNICIPAL COURT FOR 2017**

**WHEREAS,** pursuant to Chapter 349 of the Laws of 1999 (the “Municipal Prosecutor’s Act”) a municipality must designate a substitute Municipal Prosecutor to provide for representation of the State of New Jersey in Municipal Court matters where the regular Municipal Prosecutor is absent or unavailable; 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 professions, 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** Steven H. Merman, Esq., Moshood Muftau, Esq., Drew J. Bauman, Esq., Emilie T. Ngo, Esq., and Norman W. Albert, Esq. submitted qualifications to the City and has qualified for the aforesaid services for 2017; and 

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that Steven H. Merman, Esq., Moshood Muftau, Esq., Drew J. Bauman, Esq., Emilie T. Ngo, Esq., and Norman W. Albert, Esq. be and hereby are appointed, designated and empowered to serve as temporary Municipal Prosecutors for the Linden Municipal Court on an as needed basis, for 2017; and

**BE IT FURTHER RESOLVED** that said Law Firms/Attorneys shall be paid a fee of $300.00 per day for such matters as may be assigned; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between each Law Firm/Attorney 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 such contracts, if needed, with each of the Law Firms/Attorneys to effectuate the foregoing;

**BE IT FURTHER RESOLVED** that this Resolution shall take effect in accordance with applicable law.

**RESOLUTION: 2017-28**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2017**

**WHEREAS,** the City of Linden has appointed a Municipal Public Defender pursuant to N.J.S.A. 2B:12-28a; and

**WHEREAS,** there are instances where the Municipal Public Defender has a conflict of interest due to, inter alia, the need to represent multiple defendants in the same matter, and/or a temporary Municipal Public Defender is needed; and

**WHEREAS**, in such instances, ethical rules require that a separate attorney be appointed as Public Defender for said individual; and

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; 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**, Afonso & Afonso, LLC submitted qualifications to the City and have 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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Afonso & Afonso, LLC be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2017.

**BE IT FURTHER RESOLVED** that for said services Afonso & Afonso, LLC shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Afonso & Afonso, 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 such contracts, if needed, with Afonso & Afonso, LLC to effectuate the foregoing; and

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

**RESOLUTION: 2017-29**

**RESOLUTION AWARDING A CONTRACT TO AMBULANCE REIMBURSEMENT SYSTEMS INC. FOR AMBULANCE BILLING SERVICES**

**WHEREAS,** the City of Linden desires to establish a third party payment plan for emergency medical services; and

**WHEREAS,** in order to institute this plan, the City must apply for a “Provider Number” from the Federal and State Medicare/Medicaid Programs; and

**WHEREAS,** there are day-to-day management and operation responsibilities associated with operating a third party billing program; and

**WHEREAS,** the City is in need of services related to both the establishment and the operation and administration of the program; and

**WHEREAS,** the provision of these services is subject to the award of a contract without public bid in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) “Extraordinary Unspecifiable Services; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-2 et seq.) requires that the resolution authorizing the award of contract for Extraordinary Unspecifiable Services without competitive bids and the contract itself be available for public inspection; and

**WHEREAS,** Ambulance Reimbursement Systems, Inc. is engaged in the business of consulting for Federal Insurance Programs, Medicare and Medicaid, Emergency Medical Services Management Computer Systems, administration and collection of insurance claims; 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 Ambulance Reimbursement Systems, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS,** the City of Linden desires to engage Ambulance Reimbursement Systems, Inc. to assist in the establishment, operation and administration of this program;

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

1. The Mayor and City Clerk are hereby authorized to execute an agreement with Ambulance Reimbursement Systems, Inc., 5925 W. Tilghman Street, Suite 1000, Allentown, Pennsylvania 18104 to provide professional and administrative services in accordance with their proposal.

2. This contract is awarded without competitive bidding under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i).

3. The contract is subject to cancellation by the City on thirty (30) days’ notice.

4. The City Clerk shall advertise a notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1 in compliance with Local Public Contract Law guidelines.

For Comments by Mrs. Malik, see resolution 2017-30.

For the vote see the motion after resolution 2017-95.

**RESOLUTION: 2017-30**

**RESOLUTION AWARDING A CONTRACT TO COMMERCIAL ACCEPTANCE COMPANY (CAC) FOR AMBULANCE DEBT COLLECTION SERVICES FOR THE CITY OF LINDEN**

**WHEREAS,** the City of Linden desires to retain the services of a debt collection company for ambulance debt collection; and

**WHEREAS,** there are day-to-day management and operation responsibilities associated with operating a debt collection program; and

**WHEREAS,** the City is in need of services related to both the establishment and the operation and administration of the program; and

**WHEREAS,** the provision of these services is subject to the award of a contract without public bid in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) Extraordinary Unspecifiable Services; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-2 et seq.) requires that the resolution authorizing the award of contract for Extraordinary Unspecifiable Services without competitive bids and the contract itself be available for public inspection; and

**WHEREAS,** Commercial Acceptance Company (CAC) is engaged in the business of collecting debts; 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 Commercial Acceptance Company (CAC) submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS,** the City of Linden desires to engage Commercial Acceptance Company to assist in the establishment of ambulance debt collection;

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

1. The Mayor and City Clerk are hereby authorized to execute an agreement with Commercial Acceptance Company (CAC), Debt Recovery Consultants, 2 West Main Street, Shiremanstown, Pennsylvania 17011 effective January 1, 2017 through December 31, 2018, to provide professional debt recovery in accordance with their proposal.

2. This contract is awarded without competitive bidding under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i).

3. The contract is subject to cancellation by the City on 30 (thirty) days’ notice.

4. The City Clerk shall advertise a notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1 in compliance with Local Public Contract Law guidelines.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked that since the Fire Department runs the ambulance, why this is outsourced and why can’t Fire Department Personnel perform this function. Chief Dooley, noted the specialized nature of this work and that the Fire Department does not have in-house personnel to do provide this service. This is an outside billing service.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-31**

**A RESOLUTION APPOINTING MAYOR DEREK ARMSTEAD TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Section 1. That the City of Linden hereby appoints **MAYOR DEREK ARMSTEAD,** residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2017 and terminating December 31, 2017 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2017-32**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO APPRAISAL CONSULTANTS CORP. FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2017**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2017 and also new and pending cases before the Tax Court of New Jersey; 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**, Appraisal Consultants Corp. 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. 7-01-20-156-117-272;

**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 Corp., Real Estate Appraisers and Consultants, Presidential Center, 293 Eisenhower Parkway, Suite 200, Livingston, New Jersey 07039; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $20,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Appraisal Consultants Corp. 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 Corp., to effectuate the foregoing; and

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

**RESOLUTION: 2017-33**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH P&A CONSTRUCTION, INC. FOR RESURFACING OF MONMOUTH AVENUE & W. STIMPSON AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2016-296 on August 16, 2016 approving an award of a contract to P&A Construction, Inc. for the resurfacing of Monmouth Avenue & W. Stimpson Avenue in the City of Linden in the amount of $122,961.35; and

**WHEREAS**, a change order in the amount of $10,508.02 is required to extend the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $133,469.37; and

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-638-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to P&A Construction, Inc., 650 Leesville Avenue, Rahway, New Jersey 07065 is hereby amended to increase the contract by the additional sum of $10,508.02, for a total contract of $133,469.37; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between P&A Construction, 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 an amendatory agreement with P&A Construction, Inc.; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2017-34**

**A RESOLUTION APPOINTING JOSEPH CHROBAK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Section 1. That the City of Linden hereby appoints **JOSEPH CHROBAK,** residing in the City of Linden, New Jersey a member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2017 and terminating December 31, 2017 until his successor has been appointed and qualifies. Said appointment shall be with a $2,500.00 stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Director of Planning and Community Development, Department of Parks and Community Renewal, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2017-35**

**RESOLUTION APPROVING DENTAL PLAN**

**FOR THE CITY OF LINDEN**

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

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purpose, which will be charged to account/line No. 70123220141272, as attached hereto, subject to the approval of the 2017 budget; 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 RD Parisi Associates is hereby named as Broker of Record for Dental Insurance Coverage.

2. That Delta Dental of New Jersey shall be and hereby are engaged to provide dental coverage on a fully insured basis for the City of Linden employees at a cost not to exceed $550,000.00 per year.

3. 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 firm of Delta Dental of New Jersey offers the City of Linden extensive administrative experience in the field of dental services. The quotations offered for services were the most favorable quotations affording the most coverage and lowest administrative fee for the best interests of the City of Linden.

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

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what the $550,000.00 represents. Mr. Bodek responded that this is the fee for the actual coverage, and RD Parisi Associates is the broker. Mr. Roth add that this provides coverage for about 665 employees.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-36**

**RESOLUTION AUTHORIZING TAX COLLECTOR**

**TO FORWARD MONIES TO LEIN HOLDERS FOR**

**BLOCK 200, LOT 6 C20136**

WHEREAS, the City of Linden has held tax sales, where bidders purchased certificates, where the property owners have filed for bankruptcy, and

WHEREAS, the City has filed a proof of claim on behalf the lien holder, Amaco and Trustees have forwarded monies to the Tax Collector; and

WHEREAS, the monies should have been sent directly to the lien holders, for Block 200 Lot 16 C2036 in the amount of $190.58.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to issue a check from the Tax Collector Tax Sale Redemption Account in the amount of $190.58 to Amaco, 125 Rocky Boulevard # 623, Bear, DE, 19701.

**resolution: 2017-37**

**A Resolution AUTHORIZING THE CITY OF linden TO PARTICIPATE IN THE U.S. COMMUNITIES NATIONAL CO-OP AT NO COST for 2017**

**WHEREAS,** P.L. 2011, c. 139 allows contracting units to enter into an agreements with state, regional, or single government agencies that award contracts for its own use and is authorized under its own laws to extend those contract to other government agencies; and

**WHEREAS,** N.J.S.A. 40A:11-1 et seq. authorizes contracting units to enter into cooperative pricing agreements; and

**WHEREAS**, the U.S. COMMUNITIES NATIONAL CO-OP, hereafter referred to as the Lead Agency, has offered voluntary participation in a renewal of its Cooperative Pricing System for the purchase of work, materials and supplies; and

**WHEREAS**, the City of Linden in the County of Union desires to participate in the U.S. COMMUNITIES Cooperative Purchasing Program.

**NOW, THEREFORE, BE IT RESOLVED** that the U.S. COMMUNITIES, as Lead Agency, is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

**BE IT FURTHER RESOLVED,** that the Mayor, Council President and City Clerk authorizes the City of Linden to participate in the U.S. COMMUNITIES Cooperative Purchasing Program and hereby authorizes the Mayor, Council President and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the U.S. Communities upon its approval by the Division of Local Government Services.

Virginia Malik, 1633 Lenape Road. Mr. Bodek responded to Ms. Malik’s inquiry, that there are a number of co-op purchasing resolutions, on the agenda. That each provides the City with a unique purchasing opportunity for items that the City needs. Mr. Bodek, responded to several follow up questions by Ms. Malik.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-38**

**A RESOLUTION APPOINTING CHRISTINE FIGUEIREDO TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Section 1. That the City of Linden hereby appoints **CHRISTINE FIGUEIREDO,** residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2017 and terminating December 31, 2017 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2017-39**

**RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE N.J. DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO LOWER ROAD AND PARK AVENUE**

**WHEREAS,** the N.J. Department of Transportation Trust Fund Authority Act provides for the improvement of municipal roads; and

**WHEREAS,** Lower Road and ParkAvenue have deteriorated to a point of being unsafe to the traveling public; and

**WHEREAS**, a cost for said improvements has been estimated at $400,000.00;

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

**BE IT FURTHER RESOLVED** that the Mayor and City clerk are hereby authorized to submit an electronic grant application identified as MA-2017, SAGE APPLICATION \_\_\_\_\_\_\_\_, Linden City to the New Jersey Department of Transportation on behalf of the City of Linden; and

**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 signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

**RESOLUTION: 2017-40**

**RESOLUTION APPOINTING BROWN & BROWN PUBLIC RISK ADVISORS OF NJ RISK MANAGER FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to appoint Risk Manager for the period of January 1, 2017 to December 31, 2017; 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**, Brown & Brown Public Risk Advisors of NJ have submitted a qualification to the City and have qualified for the aforesaid services; 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 Brown & Brown Public Risk Advisors of NJ is awarded without competitive bidding as an “Extraordinary, Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law to provide Risk Manager services.

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

Virginia Malik, 1633 Lenape Road. Mr. Bodek explained the role of a Risk Advisor and that it was in regards to the City’s insurance program.

For the vote see the motion after Resolution 2017-95

**RESOLUTION:** **2017-41**

**RESOLUTION AWARDING A CONTRACT FOR ALTERNATE**

**SPECIAL TAX COUNSEL TO DEFEND THE CITY IN STATE TAX COURT APPEALS**

**WHEREAS,** due to a conflict of interest with Linden’s Tax Counsel, the City Council of the City of Linden has determined that it is necessary retain the services of Special Counsel to assist the City relative to the defense of State Tax Court Appeals

**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**, Robert Renaud, Esq. of the firm Palumbo Renaud & DeAppolonio 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. 7-01-20-156-117-271;

**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 Robert Renaud, Esq. of the firm Palumbo Renaud & DeAppolonio, 190 North Avenue East, Cranford, New Jersey 07016, at a fee not to exceed $10,000.00;

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Robert Renaud, Esq. of the firm Palumbo Renaud & DeAppolonio 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 said agreement with the Robert Renaud, Esq. of the firm Palumbo Renaud & DeAppolonio to effectuate the foregoing; and

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

**Resolution: 2017-42**

**RESOLUTION ENGAGING SPECIAL TAX COUNSEL**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to continue to retain the services of Special Tax Counsel to represent the City of Linden in defense of real property tax assessment appeals concerning the assessment of commercial, industrial and multi-family residential properties in the City for the year 2017, and to render legal advice and assistance to the City and to the Tax Assessor in preparing the trials of such proceedings; 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**, Skoloff & Wolfe, P.C. submitted a qualification to the City and has qualified for the aforesaid services for 2017: and

**WHEREAS,** since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-156-117-271;

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

1. That the law firm of Skoloff & Wolfe, P.C., Attorneys at Law of the State of New Jersey be and is hereby retained as Special Tax Counsel to the City for all matters in the Tax Court, and related forums, and as set forth in an agreement to be executed between Skoloff & Wolfe, P.C. and the City of Linden.

2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with Skoloff & Wolfe, P.C. setting forth the terms and conditions of the legal services to be rendered.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).

4. For the services hereinabove described as Skoloff & Wolfe, P.C. shall be awarded an agreement in the amount of $170,000.00 for the calendar year 2017 and certifying funds of $40,000.00 pursuant to the temporary budget with the balance subject to the adoption of the permanent budget. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

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

**RESOLUTION: 2017-43**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO SOCKLER REALTY GROUP FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2017**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2017 and also new and pending cases before the Tax Court of New Jersey; and

**WHEREAS**, Sockler Realty Group 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. 7-01-20-156-117-272;

**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 Sockler Realty Group, 299 Ward Street, Suite C, Hightstown, New Jersey 08520; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $10,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Sockler Realty Group 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 Sockler Realty Group, to effectuate the foregoing; and

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

**RESOLUTION: 2017-44**

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

**TRENK, DIPASQUALE, DELLA FERA & SODONO FOR SPECIAL BANKRUPTCY COUNSEL SERVICES FOR 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 Special Counsel to represent the City in connection with certain bankruptcy issues; 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,** Trenk, DiPasquale, Della Fera & Sodono, P.C. submitted a qualification to the City and has qualified for the aforesaid services for 2017; 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. 7-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that an agreement for Professional Services be and hereby is awarded to the firm of Trenk, DiPasquale, Della Fera & Sodono, P.C., 347 Mt. Pleasant Avenue, Suite 300, West Orange, New Jersey 07052 at a fee not to exceed $7,000.00 at the rate of $125.00 to $150.00 per hour; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Trenk, DiPasquale, Della Fera & Sodono, P.C. 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 said agreement with Trenk, DiPasquale, Della Fera & Sodono, P.C. to effectuate the foregoing; and

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

**RESOLUTION: 2017-45**

**A RESOLUTION APPOINTING GEORGE VIRCIK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Section 1. That the City of Linden hereby appoints **GEORGE VIRCIK,** residing in the City of Linden, New Jersey a member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2017 and terminating December 31, 2017 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Director of Planning and Community Development, Department of Parks and Community Renewal, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2017-46**

**A RESOLUTION APPROVING THE AGREEMENT**

**DATED JANUARY 1, 2017 BETWEEN THE CITY OF LINDEN**

**AND VISITING NURSE AND HEALTH SERVICES, AND**

**AUTHORIZING THE EXECUTION ON BEHALF OF THE CITY**

**OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That the Agreement dated the First day of January, 2017 between the City of Linden as the first party and Visiting Nurse and Health Services as the second party submitted by the Department of Community Services with the request that same be executed and that same hereby is approved and authorized to be executed on behalf of the City of Linden in the usual manner.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what the service entailed. Ms. Koblis responded.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-47**

**RESOLUTION APPOINTING INSURANCE BROKER FOR EMPLOYEE MEDICAL, PRESCRIPTION AND VOLUNTARY BENEFITS**

**WHEREAS**, the City of Linden wishes to appoint an insurance broker for employee medical, prescription and voluntary benefits January 1, 2017 to December 31, 2017; 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 have submitted a qualification to the City and have qualified for the aforesaid services; 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 and BGIA is awarded without competitive bidding as an “Extraordinary, Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law to provide employee medical, prescription and voluntary benefits.

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

Virginia Malik, 1633 Lenape Road. Ms. Malik, asked as to the cost of this item. She was informed that she would have to contact Mrs. Zack to obtain a response.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-48**

**RESOLUTION DECLARING SURPLUS SCRAP FOR**

**SALE OR DISPOSITION**

**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 or dispose of certain surplus property; and **WHEREAS,** the item listed below is being declared surplus and not needed for municipal purpose; Muratec MFX 2550, Kyocera Ecosys FS1135 MFP, (6) Dell Monitors

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY 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 auction or dispose of, as appropriate, the attached items; and

**BE IT FURTHER RESOLVED** that the Purchasing Agent is hereby authorized to confirm the sale/disposal of said item as scrap.

**RESOLUTION: 2017-49**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE COUNTY OF UNION COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES 2017**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Union has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden has previously participated in the County of Union’s voluntary cooperative pricing system and found it an effective method of purchasing; and**

**WHEREAS, The City of Linden in the County of Union, desires to participate in the Union County Cooperative Pricing Agreement for 2017 at no cost to the City of Linden.**

**NOW THEREFORE BE IT RESOLVED, that The City Council authorizes the City of Linden to participate in the Union County Cooperative Purchasing Agreement and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Union upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Union County Cooperative Purchasing Agreement; and**

**BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.**

**RESOLUTION: 2017-50**

**A RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER INTO A COOPERATIVE PRICING SYSTEM FOR THE YEAR 2017**

**WHEREAS,** N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS,** the Cranford Police Cooperative Pricing System (ID#47-CPCPS),

hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

**WHEREAS,** the Governing Body of the City of Linden, County of Union, State of

New Jersey wishes to participate in a Cooperative Pricing System for the provision and performance of goods and services as set forth herein;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**

**CITY OF LINDEN** as follows:

1. This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the City of Linden.

2. This Resolution is adopted pursuant to the provisions of N.J.S.A. 40A:11- 11(5), the Mayor is hereby authorized to execute a Cooperative Pricing Agreement with the Lead Agency, in the terms as approved by the City Law Department.

3. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

4. This Resolution shall take effect immediately upon passage.

**RESOLUTION: 2017-51**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE EDUCATIONAL SERVICES COMMISSION (MIDDLESEX COUNTY) COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR 2017**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The Educational Services Commission (Middlesex County) Cooperative Pricing System has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Educational Services Commission (Middlesex County) Cooperative Pricing System (MRCPS) “65MCESCCPS”, effective January 2017, and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Educational Services Commission (Middlesex County) Cooperative Pricing System (MRCPS) and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with Middlesex Regional Educational Services Commission upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Middlesex Regional Cooperative Pricing System Purchasing Agreement; and**

**BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.**

**RESOLUTION: 2017-52**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL(MCCPC) FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR 2017**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Morris has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Morris County Cooperative Pricing Council (MCCPC), effective January 20, 2017 for an annual fee of $1,100.00; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Morris County Cooperative Pricing Council and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Morris upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Morris County Cooperative Purchasing Council; and**

**BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.**

**RESOLUTION: 2017-53**

**A Resolution AUTHORIZING THE CITY OF linden TO PARTICIPATE IN THE NATIONAL JOINT powers alliance (njpa) for 2017**

**WHEREAS,** P.L. 2011, c. 139 allows contracting units to enter into an agreements with state, regional, or single government agencies that award contracts for its own use and is authorized under its own laws to extend those contract to other government agencies; and

**WHEREAS,** N.J.S.A. 40A:11-1 et seq. authorizes contracting units to enter into cooperative pricing agreements; and

**WHEREAS**, the National Joint Powers Alliance (NJPA), hereafter referred to as the Lead Agency, has offered voluntary participation in a renewal of its Cooperative Pricing System for the purchase of work, materials and supplies; and

**WHEREAS**, the City of Linden in the County of Union desires to participate in the NJPA Cooperative Purchasing Program.

**NOW, THEREFORE, BE IT RESOLVED** that the NJPA, as Lead Agency, is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

**BE IT FURTHER RESOLVED,** that the Mayor, Council President and City Clerk authorizes the City of Linden to participate in the NJPA Cooperative Purchasing Program and hereby authorizes the Mayor, Council President and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the NJPA upon its approval by the Division of Local Government Services.

**RESOLUTION: 2017-54**

**A RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT FOR 2017**

**WHEREAS,** pursuant to N.J.S.A. 40A:11-3 (c) and 18A:18A-3 (b), Governor Chris Christie has exercised his authority to adjust the bid thresholds for awarding contracts by various contracting units; and

**WHEREAS,** local units can appoint a Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9 (b) and take advantage of a higher bid threshold pursuant to N.J.S.A. 40A:11-3 (a) and 18A:18A-3 (b), have their maximum bid threshold increased from $36,000.00 to 40,000.00; and

**WHEREAS,** N.J.S.A. 40A: 11-3 (a), permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS,** N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS,** Ann Marie Whelan possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C 5:34-5 et seq; and

**WHEREAS,** the City of Linden desires to take advantage of the increase bid threshold;

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN**, in the County of Union in the State of New Jersey hereby increases its bid threshold to $40,000.00, and the quotation threshold to $6,000.00; and

**BE IT FURTHER RESOLVED,** that the Governing Body hereby appoints Ann Marie Whelan as the Qualified Purchasing Agent to exercise the duties of a Purchasing Agent pursuant to N.J.S.A. 40A:11-2 (30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting units; and

**BE IT FURTHER RESOLVED,** that the City Council of the City of Linden designates to the Purchasing Agent and delegates to her the authority to act on behalf of the City of Linden and make, negotiate, and award all contracts and goods and services which do not exceed the bid threshold of $40,000.00 as provided for in N.J.S.A. 40:a 11-1 et seq.; and

**BE IT FURTHER RESOLVED,** that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Ann Marie Whelan’s certification to the Director of the Division of Local Government Services.

**RESOLUTION: 2017-55**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE COUNTY OF SOMERSET COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR 2017**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Somerset has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Somerset County Cooperative Pricing System #2-SCOOP, effective January, 2017 and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Somerset County Cooperative Pricing Agreement and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Somerset upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Somerset County Cooperative Purchasing Agreement; and**

**BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.**

**RESOLUTION: 2017-56**

**Resolution Authorizing Contracts with Approved State Contract Vendors for Contracting Units Pursuant To N.J.S.A. 40A: 11-12a FOR 2017**

**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 contracts with any State Contract Vendors through this resolution and properly executed contracts, 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 those approved 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 – December 31, 2017.

**RESOLUTION: 2017-57**

**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 contracts with the following State Contract vendors:

State Contract Number T- Number

AAA Emergency Supply 80961 T-0790

Avaya 80802 T-1316

Absolute Fire Protection 81340 T-0106

80960 T-0790

Bud Kline 80948 T-0790

Fastenal 79873 M0002

General Sales 81330 T-0106

Motorola Communications   83909                                                   T-0109

Quaker Safety 80950 T-0790

Skylands Area Fire Equipment 80948 T-0790

Turnout Fire and Safety 80947   T-0106

T-0790

                                                80948                                                  S-0046

                                                80953

                                    81360

                                                 81329

                                                 78923

Through this resolution and properly executed contracts, 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: 2017-58**

**A RESOLUTION APPOINTING BARRY JAVICK A**

**MEMBER OF THE GOVERNING BODY, AS CLASS III**

**MEMBER OF THE PLANNING BOARD FOR THE TERM OF**

**ONE YEAR EXPIRING DECEMBER 31, 2017.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:

Section 1. Barry Javick, Councilman of the Second Ward of the City of Linden, be and he hereby is appointed to serve as Class III member of the Planning Board of the City of Linden for a term commencing January 1, 2017 and terminating December 31, 2017.

**RESOLUTION**: **2017-59**

**RESOLUTION APPOINTING PETER BROWN AS A MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That **Peter Brown, Councilperson of the Third Ward,** in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a one (1) year term, commencing January 1, 2017 and expiring December 31, 2017, and until his successor is appointed and qualifies.

**RESOLUTION: 2017-60**

**RESOLUTION APPOINTING PAUL COATES AS CHAIRPERSON**

**OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

**WHEREAS**, the Municipal Code of the City of Linden, 27-7.2, provides for the organization of the Linden District Management Corporation (SID); and

**WHEREAS**, Section 27-7.2(d) provides that the Chairperson of the Board of Trustees shall be appointed by the City annually; and

**WHEREAS**, Paul Coates has previously been appointed a member of the Board of Trustees of the Linden District Management Corporation; and

**WHEREAS**, the City Council of the City of Linden wishes to appoint Paul Coates as chairman of the Board of Trustees of the Linden District Management Corporation;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby designate Paul Coates as Chairperson of the Board of Trustees of the Linden District Management Corporation for a term of one year commencing January 1, 2017 and terminating December 31, 2017, and until his successor is appointed and qualifies.

**RESOLUTION: 2017-61**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF ELIZABETH FOR LICENSE INSPECTORS FOR TAXICABS AND LIMOUSINE ENFORCEMENT**

**WHEREAS,** the City of Linden wishes to enter into a Shared Services Agreement with the City of Elizabeth to provide the City of Elizabeth’s License Inspectors, on a part time basis, to assist in the enforcement of the City of Linden’s taxicab and limousine codes; and

**WHEREAS,** the City of Linden has no license inspectors and has a need for the expertise of the City of Elizabeth’s license inspectors; and

**WHEREAS,** it is not anticipated that the duties of any license inspectors operating in the City of Linden will interfere with the fulfillment of said inspectors’ duties within the City of Elizabeth, and all costs associated with same shall be reimbursed to the City of Elizabeth; and

**WHEREAS,** based upon the cost savings benefit received by the City of Elizabeth under this Agreement, the Business Administrator recommends that it is in the best interests of the City of Elizabeth to enter into this Shared Services Agreement with the City of Linden; and

**WHEREAS,** the cost to the City of Linden for said services will be $10,000.00 for the period of December 15, 2016 through December 14, 2017; 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. 7-01-20-120-103-275;

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

1. The Mayor and City Clerk are hereby authorized and directed to execute any and all necessary documents in order to effectuate the foregoing, as approved by the Law Department.

2. Said Agreement shall be for the period of December 15, 2016 through December 14, 2017, at a fee of $10,000.00.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2017-62**

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION**

**FOR THE MUNICIPAL ALLIANCE GRANT FOR THE CALENDAR**

**YEAR 2017 - 2018**

**WHEREAS,** the City Council of the City of Linden, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS,** the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS,** the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** County of Union, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of an application for the Linden Municipal Alliance grant for calendar year 2017-2018 in the amount of $32,200.00 and commits to the 25% cash match in the amount of $8,050.00 and the 75% in-kind match in the amount of $24,150.00

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

**RESOLUTION: 2017-63**

RESOLUTION AUTHORIZING A VOLUNTARY FURLOUGH PROGRAM

TO THE CITY OF LINDEN EMPLOYEES

WHEREAS, the City is under budgetary restraints for the period January 1, 2017 through December 31, 2017; and

WHEREAS, NJAC 4A:8-1.2 permits employees to voluntarily request temporary furloughs; and

WHEREAS, it is in the interests of the City to continue to offer the voluntary furlough program to its employees and to approve said furlough requests on a case by case basis at the discretion of the City Council; and

WHEREAS, the City will continue to make regular pension payments to employees whose requests for voluntary furloughs are approved.

NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City’s Division of Personnel to draft and submit a voluntary furlough plan to the Civil Service Commission in the interest of economy for the period January 1, 2017 through December 31, 2017. Said plan is to be drafted for each City department, with the exception of non-emergency services personnel.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked for an explanation as to what this actually entailed. Mr. Roth explained that this was a yearly resolution and what its purpose was.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-64**

**RESOLUTION APPOINTING LOIS BASS AS A**

**MEMBER OF THE BOARD OF HEALTH**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That **LOIS BASS,** residing at 214 Hillside Road, in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to serve the four (4) year term, commencing January 1, 2017 and expiring December 31, 2020, and until her successor is appointed and qualifies.

Virginia Malik, 1633 Lenape Road. See comments under 2017-65,

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-65**

**RESOLUTION APPOINTING PATRICIA MURGO**

**A MEMBER OF THE BOARD OF HEALTH**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That Patricia Murgo, residing at 2519 Grier Avenue, in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to serve a four (4) year term, commencing January 1, 2017 and expiring December 31, 2020, and until her successor is appointed and qualifies.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked who typically is on this Board, and what their charter is. Ms. Koblis explained the establishment of the Board, and how members are appointed. She also responded to several follow-up questions from Ms. Malik. The questions centered around the qualification of the members.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-66**

**RESOLUTION APPOINTING RICHARD KOZIOL**

**ALTERNATE MEMBER No. 2 TO THE**

**ZONING BOARD OF ADJUSTMENT**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That **RICHARD KOZIOL** residing in the City of Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 2 of the Zoning Board of Adjustment of the City of Linden for a two (2) term which commenced January 1, 2017 and terminating December 31, 2018, and until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 2 shall vote.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

These appointments are made in accordance with Chapter 216, Laws of New Jersey, 1979 (N.J.S.A. 40:55D-69).

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

This resolution shall take effect immediately.

**RESOLUTION:2017-67**

**RESOLUTION APPOINTING BRIAN FRITZSCHE A MEMBER TO THE**

**ZONING BOARD OF ADJUSTMENT**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That **BRIAN FRITZSCHE,** residing at 2515 Verona Ave, Linden, New Jersey, holding no elective office or position in the City of Linden, be and he hereby is appointed as a Member of the Zoning Board of Adjustment of the City of Linden, pursuant to **N.J.S.A 40:55D-69 et seq.,** to serve for a term of four (4) years commencing January 1, 2017 and terminates December 31, 2020, until his successor is duly appointed and qualifies.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

This resolution shall take effect immediately.

**RESOLUTION:2017-68**

**A RESOLUTION APPOINTING JOHN KROBOTH**

**A CONSTABLE IN THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**:

Section 1. That **JOHN KROBOTH**, residing at 814 Ainsworth Street, Linden, Union County, New Jersey, be and he hereby is appointed a constable, and that his qualifications, bond, duties and powers shall be as provided and required by law and usage of this state and as hereafter may be provided by law.

Section 2. Said constable shall hold office for the three‑year term commencing December 22, 2016 and terminating December 21, 2019.

Section 3. Said constable shall furnish a bond to the City of Linden in the sum of $1,000.00 with good freehold or other security, to be approved by the Council, which bond shall remain in full force during the term of office for which the said constable is appointed, and shall take, subscribe and file with the City Clerk of the City of Linden the required oath and shall meet the qualifications required by law, prior to commencing his duties and exercising his powers, and shall in all respects comply with the law in such case made and provided.

Section 4. This Resolution shall take effect immediately.

**RESOLUTION: 2017-69**

**A RESOLUTION APPOINTING SUE DOMINO A**

**MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That Sue Domino, residing at 1622 South Wood Ave., Linden, County of Union and State of New Jersey, shall be and he hereby is appointed a member of the Linden Economic Development Corporation of the City of Linden (Council Appointment) to serve for the term of two (2) years, commencing January 1, 2017 and terminating December 31, 2018, and until her successor shall have been appointed and shall have qualified.

**RESOLUTION: 2017-70**

**RECOGNIZING COX PRINTERS FOR THEIR ACHIEVEMENT IN RECEIVING**

**THE 2016 NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION RECYCLING AWARD**

**WHEREAS,** recycling is the process of collecting and processing materials that would otherwise be thrown away and transforming them into new products, is key to the state’s waste management strategy and beneficial to the environment in many ways such as keeping materials out of landfills and reduce the emissions of water and air pollutants; and

**WHEREAS,** the New Jersey Department of Environmental Protection, in conjunction with the Association of New Jersey Recyclers, annually recognizes excellence in recycling by recognizing agencies, businesses and individuals who take part in advanced recycling; and

**WHEREAS,** Cox Printers, located in the City of Linden received the 2016 NJDEP Recycling Award in the Business category for their dedication to recycling and investing in the future of the environment; and

**WHEREAS,** over the past seven years Cox Printers installed two wind turbines along with a roof top garden, four honey beehives to help support and educate the community on the issue of honey bee colony collapse. In addition, they have joined with the NJ Audubon Society by building a Night Hawk nesting area and planting milkweed beds to help Monarch butterflies on their migration journey; and

**NOW THEREFORE BE IT RESOLVED,** that the Mayor and Council of the City of Linden do hereby recognize Cox Printers and their employees for being an outstanding environmentally conscious members of the Linden business community and for their receiving the 2016 NJDEP Recycling Award; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be fittingly presented to Cox Printers and be placed in the minutes of the Council of the City of Linden in perpetual recognition of the efforts of their company to make Linden a better place.

**RESOLUTION: 2017-71**

**A RESOLUTION APPOINTING ALEX LOSPINOSO A**

**MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That Alex Lospinoso, residing at 119 Livingston Rd., Linden, County of Union and State of New Jersey, shall be and he hereby is appointed a member of the Linden Economic Development Corporation of the City of Linden (Council Appointment) to serve for the term of two (2) years, commencing January 1, 2017 and terminating December 31, 2018, and until his successor shall have been appointed and shall have qualified.

**RESOLUTION: 2017- 72**

**RESOLUTION APPOINTING PAUL COATES AS A MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That **PAUL COATES,** 1107 Passaic Avenue, Linden, County of Union and State of New Jersey, be and he hereby is appointed a merchant member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) year term, commencing January 1, 2017 and expiring December 31, 2019, and until his successor is appointed and qualifies.

**RESOLUTION: 2016-73**

**RESOLUTION AUTHORIZING A RENEWAL OF CONTRACT WITH FACILITY DUDE FOR THE MAINTENANCE, CAPITAL FORECAST & PREVENTATIVE MAINTENANCE SCHEDULE PROGRAMS**

**WHEREAS**, the City of Linden has a need to renew required the Maintenance Edge & Capital Forecast & Preventative Maintenance Schedule programs with Facility Dude; and

**WHEREAS**, N.J.SA. 40A:11-5(dd) provides for the support software maintenance, consultation services and training services of propriety computer hardware and software; and

**WHEREAS,** pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5, said contract is renewed as a non-fair and open contract; and

**WHEREAS,** the anticipated term of this contract is (12) months, commencing on January 1, 2017 through December 31, 2017 for said programs at an amount not to exceed of $35,000.00; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 7-01-20-131-113-272; and

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

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

Virginia Malik, 1633 Lenape Road. Mr. Medina responded to Ms. Malik’s questions regarding what function the program provides, the yearly cost, and what is covered by that cost. He also responded to several other questions that Ms. Malik had.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-74**

**RESOLUTION AMENDING A PRIOR RESOLUTION APPROVING A PRESCRIPTION DRUG**

**PROGRAM FOR THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden adopted Resolution 2015-71 which provided a benefit program to its employees in the area of a Prescription Drug Program for a period commencing January 1, 2015 to December 31, 2017; and

**WHEREAS,** on December 15, 2015 the City Council adopted Resolution 2015-425 appointing Acrisure and BGIA as co-brokers for amongst others, employee prescription benefits; and

**WHEREAS**, in order to avoid any ambiguity, Resolution 2015-71 needs to be amended to reflect Acrisure and BGIA as the brokers who shall administer the self-funded Prescription Drug Program; and

**WHEREAS,** said term for the benefit program shall now expire on December 31, 2019.

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

1. That Express Scripts (formally known as Medco) through Acrisure and BGIA shall be and hereby engaged to administer a Self-funded Prescription Drug Program for the City of Linden with a new term to expire on December 31, 2019.

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

**RESOLUTION: 2017-75**

**RESOLUTION CONGRATULATING COURTNEY VILLANI**

**ON BEING NAMED ONE OF 2016’S TOP TWENTY-FIVE**

**LEADING WOMEN ENTREPRENEURS**

**WHEREAS,** annually The Leading Women Entrepreneurs recognizes The Top 25 Leading Women Entrepreneurs for being outstanding women business owners who excel in the areas of market potential, innovation, community involvement and advocacy for women; and

**WHEREAS,** on November 14, 2016 **COURTNEY VILLANI,** President of Villani Bus Company located in the City of Linden was named to the Top 25 Leading Women Entrepreneurs for 2016; and

**WHEREAS,** the twenty five awardees were chosen from 150 finalists which were selected from approximately seven hundred nominations of leading women who are advocating for women and reaching their ultimate potential; and

**WHEREAS, COURTNEY VILLANI** is currently the third generation running Villani Bus Company which was started by her Grandfather, Frank Villani, Sr., and is approaching its 100th year in business. **COURTNEY’S** dedication to community service has also been seen through her volunteering for various organizations such as the Elizabeth Chapter of UNICO National, where she served as its President in 2012, Governor to UNICO National District X and former co-chair of the Linden Chamber of Commerce; and

**NOW THEREFORE BE IT RESOLVED,** that the Mayor and Council of the City of Linden do hereby recognize **COURTNEY VILLANI** for being an outstanding member of the Linden business community, and for being chosen one of 2016’s Top Twenty-Five Leading Women Entrepreneurs; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be fittingly presented to **COURTNEY VILLANI** and be placed in the minutes of the Council of the City of Linden in perpetual recognition of the efforts of their company to make Linden a better place.

**RESOLUTION: 2017-76**

**A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF ARMAND FIORLETTI AS**

**MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Confirming Mayor Derek Armstead’s appointment of Armand Fiorletti to the Linden Economic Development Corporation of the City of Linden as the Planning Board representative to serve for a term of one (1) years, commencing January 1, 2017 and terminating December 31, 2017 and until his successor shall have been appointed and shall have qualified.

**RESOLUTION: 2017-77**

**A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF NANCY SADLON A**

**MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Confirming Mayor Derek Armstead’s appointment of Nancy Sadlon to the Linden Economic Development Corporation of the City of Linden as a representative of the Linden Industrial Association to serve for a term of one (1) years, commencing January 1, 2017 and terminating December 31, 2017 and until her successor shall have been appointed and shall have qualified.

**RESOLUTION: 2017-78**

**A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF KATHY BURKE A**

**MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Confirming Mayor Derek Armstead’s appointment of Kathy Burke to the Linden Economic Development Corporation of the City of Linden as a representative of Linden’s Business/Industrial Community to serve for a term of one (1) years, commencing January 1, 2017 and terminating December 31, 2017 and until his successor shall have been appointed and shall have qualified.

**RESOLUTION: 2017-79**

**RESOLUTION AWARDING A CONTRACT TO WELLS FARGO ADVISORS FOR THE HARTFORD RETIREMENT PLANNING SPECIALIST SERVICES FOR 2017**

**WHEREAS,** there exists a need for the provision of Retirement Planning Specialist Services for the City of Linden’s Deferred Compensation Plan for the period of January 1, 2017 through December 31, 2017; and

**WHEREAS,** pursuant to N.J.S.A. 19:44A-20 et seq., this Council determined to implement a “fair and open process” for the procurement of such services; and

**WHEREAS,** a “Request for Proposals” (RFP) was issued on October 11, 2016 and responses were received on November 3, 2016; and

**WHEREAS,** having considered the recommendation of the Finance Committee, this Council has determined that a contract for said services be awarded to EPG Brokerage; and

**WHEREAS,** Wells Fargo Advisors 600 South Ave, Westfield, NJ, has agreed to provide the necessary services as outlined above at no cost to the City; and

**WHEREAS,** N.J.S.A. 40A:11-5(1) authorizes Council to award a contract without competitive public bidding if the subject matter consists of an exception to such requirements as set forth therein; and

**WHEREAS,** the consulting and related services to be provided herein constitute an exception to the public bidding requirements of the Local Public Contracts Law under N.J.S.A. 40A::11-5(1)(m);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** a contract is hereby awarded to Wells Fargo Advisors, pursuant to a fair and open process, and to provide the necessary services as outlined above at no cost to the City; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute said contract upon further approval by the Law Department for the aforesaid service.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked are we paying for this, how much, and commented that it was a pretty nice perk. Mr. Roth responded that it was a deferred compensation plan, that the City offers to its employees, and that there are no cost to the City.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-80**

**RESOLUTION FOR STATE CONTRACT FOR PROVISION OF AN E-TICKETING TURNKEY SYSTEM FOR THE POLICE DEPT. FROM GOLD TYPE BUSINESS MACHINES FOR 2017**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; police vehicles equipment and supplies from Gold Type Business Machines, an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and,

**WHEREAS**, Gold Type Business Machines, Gold, Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07065, has been awarded New Jersey State Contract No. A81341 for the provision of an E-Ticketing Turnkey System; and,

**WHEREAS**, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best means available to obtain services for; and,

**WHEREAS**, the amount of the service is not to exceed $60,000.00 (subject to the 2017 budget); and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 7-01-25-240-160-201; and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that GTBM, be awarded a contract for a term of one year starting January, 2017 or until new awards are made; and,

**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.

**Resolution: 2017-81**

**RESOLUTION AWARDING A CONTRACT TO**

**PASCACK DATA SERVICES FOR**

**COMPUTER CONSULTING SERVICES**

**WHEREAS**, the Governing Body of the City of Linden has determined that there exists a need for computer consulting services; and

**WHEREAS**, in accordance with provisions of N.J.S.A 19:44A-20.4, qualifications have been received through a fair and open process; 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 Chief Financial Officer or his designee has certified as to the availability of finds for this purpose will be charged to account/line item

Non Public Safety 7-01-20-131-113-207 in the amount of $50,000.00, Public Safety 7-01-25-250-314-273 $60,000.00; and

**WHEREAS**, the Purchasing Agent has certified that this meets the statute and regulations governing the award of said contract;

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Pascack Data Services, 200 Central Avenue Suite 100 Hawthorne, NJ 07506 in accordance with their qualifications, in an amount not to exceed $50,000.00 for non public safety departments and $60,000.00 for public safety departments for the period of January 1, 2017 through December 31, 2017;

**BE IT FURHTER RESOLVED** that this Resolution expressly contingent upon the negotiation of the necessary contract documents between Pascack Data Services and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby empowered and directed to execute a contact with Pascack Data Services to 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 stated that she would like to be further educated on this contract. Mr. Medina responded, explaining that this is the vendor that the City has used over the last several years, and the services that they provide. He also spoke about the data safety plan that this company is working on for the City. He noted that the entire funds may not be used, as the City is on an on-call basis.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-82**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2017**

**WHEREAS,** the City of Linden has appointed a Municipal Public Defender pursuant to N.J.S.A. 2B:12-28a; and

**WHEREAS,** there are instances where the Municipal Public Defender has a conflict of interest due to, inter alia, the need to represent multiple defendants in the same matter, and/or a temporary Municipal Public Defender is needed; and

**WHEREAS**, in such instances, ethical rules require that a separate attorney be appointed as Public Defender for said individual; and

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; 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**, Edward S. Cooper, Esq. submitted qualifications to the City and have 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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Edward S. Cooper, Esq. be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2017.

**BE IT FURTHER RESOLVED** that for said services Edward S. Cooper, Esq. shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Edward S. Cooper, Esq. 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 such contracts, if needed, with Edward S. Cooper, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2017-83**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2017**

**WHEREAS,** the City of Linden has appointed a Municipal Public Defender pursuant to N.J.S.A. 2B:12-28a; and

**WHEREAS,** there are instances where the Municipal Public Defender has a conflict of interest due to, inter alia, the need to represent multiple defendants in the same matter, and/or a temporary Municipal Public Defender is needed; and

**WHEREAS**, in such instances, ethical rules require that a separate attorney be appointed as Public Defender for said individual; and

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; 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**, Yesmin Diaz, Esq. submitted qualifications to the City and have 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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Yesmin Diaz, Esq. be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2017.

**BE IT FURTHER RESOLVED** that for said services Yesmin Diaz, Esq. shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Yesmin Diaz, Esq. 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 such contracts, if needed, with Yesmin Diaz, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2017-84**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2017**

**WHEREAS,** the City of Linden has appointed a Municipal Public Defender pursuant to N.J.S.A. 2B:12-28a; and

**WHEREAS,** there are instances where the Municipal Public Defender has a conflict of interest due to, inter alia, the need to represent multiple defendants in the same matter, and/or a temporary Municipal Public Defender is needed; and

**WHEREAS**, in such instances, ethical rules require that a separate attorney be appointed as Public Defender for said individual; and

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; 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**, Thomas J. Koehl, Esq. submitted qualifications to the City and have 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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Thomas J. Koehl, Esq. be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2017.

**BE IT FURTHER RESOLVED** that for said services Thomas J. Koehl, Esq. shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Thomas J. Koehl, Esq. 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 such contracts, if needed, with Thomas J. Koehl, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2017-85**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2017**

**WHEREAS,** the City of Linden has appointed a Municipal Public Defender pursuant to N.J.S.A. 2B:12-28a; and

**WHEREAS,** there are instances where the Municipal Public Defender has a conflict of interest due to, inter alia, the need to represent multiple defendants in the same matter, and/or a temporary Municipal Public Defender is needed; and

**WHEREAS**, in such instances, ethical rules require that a separate attorney be appointed as Public Defender for said individual; and

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; 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**, Charney & Roberts, LLC submitted qualifications to the City and have 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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Charney & Roberts, LLC be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2017.

**BE IT FURTHER RESOLVED** that for said services Charney & Roberts, LLC shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Charney & Roberts, 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 such contracts, if needed, with Charney & Roberts, LLC to effectuate the foregoing; and

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

**RESOLUTION: 2017-86**

**Resolution amending resolution 2017-18 authorizing re-establishment of Petty Cash Funds**

Whereas, the City of Linden adopted resolution 2017-18 authorizing the re-establishment of Petty Cash Funds in certain departments of the City; and

Whereas, the amount of the fund for OEM and the Public Works Division was incorrect; and

Whereas, the Police Chief, Fire Chief, General Supervisor Public Works, Director of Public Property, Purchasing Agent and OEM Coordinator all have 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:

Fire Chief Joseph Dooley $100.00

Police Chief Jonathan Parham $200.00

OEM Coordinator David Hart $200.00

Director of Public Property Alfred MacDonald $200.00

General Supervisor Public Works John Venditto $200.00

Purchasing Agent Annmarie Whelan $100.00

**Resolution: 2017-87**

**RESOLUTION AUTHORIZING THE CITY OF**

**LINDEN TO JOIN THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND AND APPROVING A JOINT TRUST AGREEMENT**

**WHEREAS,** a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by the Chapter 372 Laws of 1983 (40A:10-36); and

**WHEREAS,** the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

**WHEREAS,** the City is designating Brown & Brown Metro, Inc as its broker and they have obtained quotes for workers compensation and employer liability; general liability including law enforcement and public officials liability; motor vehicle liability; and property damage; and

**WHEREAS,** has recommended that the City of Linden join the Garden State Municipal Joint Insurance Fund; and

**WHEREAS**, the Governing Body of the City of Linden has determined that membership in the Garden State Municipal Joint Insurance Fund (hereinafter referred to as the “Fund”) is in the best interest of itself and its citizens; and

**WHEREAS**, the Governing Body of the City of Linden executed a resolution to join the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the City of Linden (hereinafter referred to as the “Municipality”) does hereby resolve and agree to become a member of the Fund for a period not to exceed three (3) year beginning January 1, 2017 for the purpose of establishing the following types of coverage:

* Workers’ Compensation and Employer’s Liability;
* General Liability including law enforcement and public officials liability;
* Motor vehicle liability;
* Property damage (buildings, contents, equipment, and motor vehicle)

At a cost not to exceed $410,000.00, per year.

**BE IT FURTHER RESOLVED,** that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolutions: and

**BE IT FURTHER RESOLVED,** that the Mayor and Municipal Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and Department of Community Affairs.

**RESOLUTION: 2017-88**

**RESOLUTION ENGAGING THIRD PARTY**

**ADMINISTRATOR FOR INSURANCE FUND COMMISSION**

**WHEREAS**, there exists a need for a Third Party Administrator for the Insurance Fund Commission to meet the requirements of the City of Linden; 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**, Inservco Insurance Services submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose in account entitled, "Claims Administrator", as attached hereto, which will be charged to account/line item No.: 6-01-23-215-140-272; 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. Inservco Insurance Services, Inc., 3150 Brunswick Pike, Lawrenceville, New Jersey 08648 in accordance with their proposal submitted on January 6, 2016, providing Third Party Claims Administration Services for all coverage to be self-insured by the City of Linden at a base fee of $74,160.00 per year, for one year, effective 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 firms listed herein offer the City of Linden extensive experience in the field of insurance and risk management. The quotations offered for services and/or coverage were the most competitive and were in the best interests of the City of Linden.

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

**RESOLUTION: 2017-89**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN**

**AUTHORIZING THE IMPLEMENTATION OF A FLEXIBLE**

**SPENDING ACCOUNT EFFECTIVE JANUARY 1, 2015**

**WHEREAS**, PL 2011, c. 78, was adopted on June 28, 2011 and provides for major reform for pension and health benefits for public workers in the State of NJ; and

**WHEREAS**, this law requires the City of Linden to provide our employees with a Section 125 flexible spending account; and

**WHEREAS**, the flexible spending account allows an employee to voluntarily set aside a portion of their earnings to pay for qualified medical expenses thereby reducing their tax liability as well as reducing the Social Security/Medicare liability of the City; and

**WHEREAS**, the City’s Broker, BGIA/Accrusiure has obtained quotes for this service and has determined that O.C.A. Benefit Services, 37705 Quakerbridge Road, Suite 216, Mercerville, New Jersey 08619 will provide the best service to the City, in an amount not to exceed $15,000.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose to be charged to Account No. 7-01-23-220-141-274.

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

1. That the Mayor, City Clerk and/or any other City Official if necessary, are hereby authorized to implement the flexible spending accounts with O.C.A effective January 1, 2017 through December 31, 2017, and to prepare and sign all necessary Section 125 Plan documents.
2. This Resolution shall take effect pursuant to law.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked for qualification on the issue of the “not to exceed $15,000.00.” Mr. Roth explained that it was not per person, but was the administrative fee.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-90**

**RESOLUTION PROVIDING AN EMPLOYEE ASSISTANCE**

**PROGRAM FOR THE CITY OF LINDEN**

**WHEREAS**, there exists a need in the City of Linden for the retention of extraordinary unspecifiable services relative to providing an employee assistance program for the City of Linden; 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**, this service qualifies as an extraordinary unspecifiable service under the rules of the Division of Local Government Services as contained in N.J.A.C. 5:34-2.1 et seq. and is certified as an extraordinary unspecifiable service in accordance with the requirements thereof; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 7-01-20-105-105-274; and

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

1. Trinitas Regional Medical Center, having offices at 300 North Avenue East, Cranford, New Jersey 07016 is hereby engaged to provide an employee assistance program to the City of Linden for a period commencing January 1, 2017 to December 31, 2017 at a cost not to exceed $12,500.00.

2. The Mayor and City Clerk are hereby authorized to execute an agreement with Trinitas Regional Medical Center for the aforesaid purposes.

3. This contract is awarded without competitive bidding as an “ Extraordinary Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because Trinitas Regional Medical Center has a proven reputation in the field of providing employee assistance programs.

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

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what the program consists of. Mr. Roth responded and explained the program and what employees are provided with, under it.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-91**

**RESOLUTION AMENDING RESOLUTION 2016-276 APPROVING THE AWARD OF A CONTRACT TO**

**REMEDY ANALYTICS, INC. FOR THE CITY OF LINDEN**

**WHEREAS**, there exists a need for a consultant for services to provide cost savings to the City of Linden regarding its employee prescription program in the City of Linden; 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**, Remedy Analytics, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2016; 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

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

1. A contract is awarded to Remedy Analytics, Inc. 1011 N. Mayfair Road, Suite 307, Milwaukee, WI 53226 in accordance with their total proposal of a 20% fee based upon the annual cost savings to the City of Linden, for the period commencing July 20, 2016 and expiring on December 31, 2019.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Remedy Analytics and the City Council, 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 for this to be explained to her in plain English. Mr. Roth explained that the company provided an analysis on the City’s prescription plan, and made recommendations as to what program may be better for the City. Mrs. Hickey noted that the City had switched brokers, last year, to look at things like this, so that the City could save money. She noted that the numbers were not final, but it appears that over the next three years we would be saving $800,000.00.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-92**

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR SOFTWARE REQUIRED FOR THE RENEWAL AND MAINTENANCE OF TIME CLOCKS AND ATTENDANCE EQUIPMENT WITH VISUAL COMPUTER SOLUTIONS, INC.**

**WHEREAS**, the City of Linden has a need to renew required software necessary to renew and maintain the time clocks and attendance equipment with Visual Computer Solutions, Inc.; and

**WHEREAS**, N.J.SA. 40A:11-5(dd) provides for the support software maintenance, consultation services and training services of propriety computer hardware and software; and

**WHEREAS,** pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5, said contract is renewed as a non-fair and open contract; and

**WHEREAS,** the anticipated term of this contract is one (1) year, commencing on January 1, 2017 through December 31, 2017 for software at the rate of $54,250.00; and

**WHEREAS**, Visual Computer Solutions, Inc. has submitted a proposal dated November 3, 2016 indicating they will provide the software required for the aforesaid price; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 7-01-20-130-120-202; and

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

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

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what the City was getting for the $54,000.00. Mrs. Yamakaitis explained that the time clocks were the hand scan system that the City uses for the employees. Mr. Medina stated he would have to get back to her, tomorrow, with more details. He noted that the City went to this system, three years ago, for accountability of employee time.

For the vote see the motion after Resolution 2017-95

**RESOLUTION: 2017-93**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DESIGNATING THE PROPERTY COMMONLY KNOWN ON THE CITY’S TAX MAPS AS BLOCK 469, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.01, 27.01, 28, 29.01, 31.01, 33, 34, 35, 36, 38.01, 38.03, 38.04, 40, 41, AND 42 AS AN ‘AREA IN NEED OF REHABILITATION’ PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

**WHEREAS,** the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq*. (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

**WHEREAS**, in accordance with the Redevelopment Law, the Municipal Council (the “**City Council**”) of the City of Linden (the “**City**”) believes that within the property commonly known as Block 469, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.01, 27.01, 28, 29.01, 31.01, 33, 34, 35, 36, 38.01, 38.03, 38.04, 40, 41, and 42 on the tax maps of the City of Linden (the “**Property**”), which Property is bounded by South Stiles Street in the North, West Linden Avenue in the West, Pleasant Street in the South, and U.S. Highway 1 & 9 in the East, the water and sewer lines are at least 50 years old and are in need of substantial maintenance; and that a program of rehabilitation is expected to prevent further deterioration and to promote the overall development of the City in accordance with the requirements of Section 14 of the Redevelopment Law, *N.J.S.A.* 40A:12A-14, as described in the rehabilitation report attached hereto as Exhibit A (the “**Rehabilitation Report**”); and

**WHEREAS**, Section 14 of the Redevelopment Law, *N.J.S.A.* 40A:12A-14(a) provides that prior to the adoption of a resolution designating the Property as an area in need of rehabilitation, the City Council must first submit a copy of the proposed resolution designating the Property as an area in need of rehabilitation to the City Planning Board (the “**Planning Board**”) for review; and

**WHEREAS**, on May 17, 2016 the City Council, acting by resolution, referred a copy of this resolution to the Planning Board for review and comment pursuant to Section 14 of the Redevelopment Law, *N.J.S.A.* 40A:12A-14(a); and

**WHEREAS**, the Planning Board undertook said review and determined that within the Property, the water and sewer lines are at least 50 years old and are in need of substantial maintenance; and that a program of rehabilitation is expected to prevent further deterioration and to promote the overall development of the City in accordance with the requirements of Section 14 of the Redevelopment Law, *N.J.S.A.* 40A:12A-14, and therefore qualifies as an area in need of rehabilitation; and

**WHEREAS,** the Planning Board reviewed this resolution and recommends its adoption and the designation of the Property as an area in need of rehabilitation in accordance with Section 14 of the Redevelopment Law, *N.J.S.A.* 40A:12A-14(a).

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The City Council hereby designates the Property as an area in need of rehabilitation pursuant to Section 14 of the Redevelopment Law, *N.J.S.A.* 40:12A-14(a), based upon the findings of the Rehabilitation Report.

Section 3. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6 of the Redevelopment Law.

Section 4. A copy of this Resolution shall be available for public inspection at the offices of the City.

Section 5. This Resolution shall take effect immediately.

**RESOLUTION: 2017-94**

**RESOLUTION TERMINATING AN AGREEMENT BETWEEN IN2VATE, LLC AND THE CITY OF LINDEN**

**WHEREAS,** on December 30, 2016, the City of Linden entered into an agreement with In2vate, LLC for an employee protection line which was approved pursuant to Resolution No. 2016-335 at the September 20, 2016 council meeting; and

**WHEREAS**, the City of Linden is not satisfied with the employee protection line; and

**WHEREAS**, pursuant to Section 2, of the Employee Protection Line Subscriber Agreement, the City wishes to terminate said agreement with In2vate, LLC.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the City of Linden hereby terminates said agreement with In2vate, LLC and authorizes the Mayor or his designee and the City Clerk or his designee be directed to execute documentation to effectuate the foregoing;

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

Mrs. Cosby-Hurling explained what the service that was to be provided. She then read, from the resolution, the reasons for the contract to be terminated, explaining that the service was never started, so how could the City be dissatisfied with the employee protection line. She noted the amount of work that last year’s committee put into selection of this company, and the precautions that were built in. She went into further detail as to the service, and that employees should be outraged over the service being discontinued, and that last September, this was approved unanimously by the full council. She asked the members of Council to consider the employee, when voting on this, and that this was away for employees to be empowered to report wrong doing, and not write anonymous letters.

Mrs. Ormon stated that it was not a tip-line, that it was a snitch line. She provided her views on this service and the reasons that the Committee, this year, was taking this action. She spoke about how these problems should be handled. Mrs. Ormon explained how, in her opinion, these issues should be handled, and it was bad for employee morale.

Mrs. Hickey disagreed with Mrs. Ormon, and stated that Mrs. Ormon was incorrect in stating how things work in the City. She then referenced the Personnel Report, and how she got a number of phone calls, from employees, over three individuals on the report. The calls referenced one of the persons and how quickly they got a Civil Service Title. She stated that, during this meeting, she was getting text message from residents saying “that happened real quick.” Mrs. Hickey stated this was not a snitch line, as there are many employees who are bullied and are afraid to say anything. She spoke about other issues that are going on in the City and the need to be fair to all employees.

Mrs. Yamakaitis noted that she was Chairman of Personnel, this year. She spoke about employee of the month, given out last month, and that out of 600 plus employees, there was one nomination. Something is wrong. There is a need to regroup, and figure out what was wrong. Mrs. Yamakaitis did not feel that a snitch line was the way to go. She stated this year, the Committee’s agenda was to avoid as many lawsuits, as possible, because of the astronomical cost. She did not want to cause any further liability issues for the City.

Mrs. Ormon moved to approve Resolution 2017-94. The motion was seconded by Mr. Strano and was ordered approved, with all voting in favor, except Mr. Brooks, Mrs. Cosby-Hurling, Mr. Medina and Mrs. Hickey, who voted no.

**RESOLUTION: 2017-95**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO TONY & SON, INC. FOR A TRANSIT VILLAGE STREETSCAPE ALONG NORTH & SOUTH WOOD AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on December 8, 2016 for a Transit Village Streetscape Along North & South Wood Avenue in the City of Linden: 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 No. C-04-55-901-580-919 ($534,777.15) and C-04-55-901-643-919 ($729,851.70); and

**WHEREAS,** Tony & Son, Inc. was the lowest responsible bidder at their bid of $1,264,628.85; 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 CITY COUNCIL OF THE CITY OF LINDEN** as follows:

1. The Council of the City of Linden hereby recommends to the New Jersey Department of Transportationthat the contract for the Transit Village Streetscape along North & South Wood Avenue in the City of Linden, Union County be awarded to Tony & Son, Inc. whose bid amounted to $1,264,628.85, subject to approval of the Department.
2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Tony & Son, Inc. 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 if there were details, in a document, of what the City would be getting for this money. Mr. Vircik explained that there is a bid summary that could be obtained in his office that goes item for item. At Ms. Malik’s request Mr. Vircik detailed the source of the funds, and that the project was on going, with the City’s grants writers, applying for additional funding for future years.

**Mrs. Ormon moved for approval of resolutions #2017-29, 30, 35, 37, 40, 46, 47, 63, 64, 65, 73, 79, 81, 89, 90, 91, 92, and 95. The motion was seconded by Mr. Strano and was order approved by a roll call vote with all voting yes to all except Mrs. Cosby-Hurling who voted no to Resolution #2017-63 and abstained on Resolution #2017-64 and #2017-65.**

**RESOLUTION: 2017-96**

**RESOLUTION AWARDING A CONTRACT TO EPG BROKERAGE FOR VOYA FINANCIAL RETIREMENT PLANNING SPECIALIST SERVICES FOR 2017**

**WHEREAS,** there exists a need for the provision of Retirement Planning Specialist Services for the City of Linden’s Deferred Compensation Plan for the period of January 1, 2017 through December 31, 2017; and

**WHEREAS,** pursuant to N.J.S.A. 19:44A-20 et seq., this Council determined to implement a “fair and open process” for the procurement of such services; and

**WHEREAS,** a “Request for Proposals” (RFP) was issued on October 11, 2016 and responses were received on November 3, 2016; and

**WHEREAS,** having considered the recommendation of the Finance Committee, this Council has determined that a contract for said services be awarded to EPG Brokerage; and

**WHEREAS,** EPG Brokerage, 333 Thornall Street Suite 9B Edison, NJ 08837 , has agreed to provide the necessary services as outlined above at no cost to the City; and

**WHEREAS,** N.J.S.A. 40A:11-5(1) authorizes Council to award a contract without competitive public bidding if the subject matter consists of an exception to such requirements as set forth therein; and

**WHEREAS,** the consulting and related services to be provided herein constitute an exception to the public bidding requirements of the Local Public Contracts Law under N.J.S.A. 40A::11-5(1)(m);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** a contract is hereby awarded to EPG Brokerage, pursuant to a fair and open process, and to provide the necessary services as outlined above at no cost to the City; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute said contract upon further approval by the Law Department for the aforesaid service.

**ORDINANCES ON INTRODUCTION**

**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

Council President Pro Tempore Yamakaitis asked if there were any comments from the public. There were none

Ordinance #61-2 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mr. Strano, seconded by Mr. Hickey, the foregoing Ordinance was on roll call vote unanimously ordered approved.

**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.”

Council President Pro Tempore Yamakaitis asked if there were any comments from the public. There were none

Ordinance #61-3 was introduced by Mr. Medina and was read on first reading by the Deputy Clerk.

On motion of Mr. Medina, seconded by Mr. Strano, the foregoing Ordinance was on roll call vote unanimously ordered approved.

**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

Council President Pro Tempore Yamakaitis asked if there were any comments from the public.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked that is she, as a citizen entitled to this information. Ms. Honan responded that it will be posted on the City website, the bulletin board outside the City Clerk’s office and copies can be obtained in the City Clerk’s office.

Mrs. Cosby-Hurling noted that upon adoption of this the public has access to it and every single salary, so that it is not a secret, and no one can make accusations about who gets what and what goes where. She noted some areas of concern where. She urged Council to publish a list of every City employee and what they get paid.

Ordinance #61-4 was introduced by Mrs. Cosby-Hurling and was read on first reading by the Deputy Clerk.

On motion of Mrs. Cosby-Hurling, seconded by Mr. Strano, the foregoing Ordinance was on roll call vote unanimously ordered approved.

**COMMENTS FROM MEMBERS OF THE PUBLIC**

Charlene Snowden. Ms. Snowden thanked all those who were able to come out and attend the Dr. Martin Luther King Memorial service, the day before, noting those from the Council, who attended and that Mrs. Cosby-Hurling had been excused. Ms. Snowden noted it was her first year as president of the committee, and thanked the committee members for all of their hard work, during the year, to make this event possible. She spoke about Dr. King’s advocacy and how it benefited many other groups. She then asked Mr. Medina to look into getting a quite reading room, in the library. Next Ms. Snowden spoke about the attempts to find a new supermarket to replace the old Pathmark, and hoped that the replacement would be some other company, other than Key Foods. She touched on a few other issues.

Reverend Donaldson. Rev. Donaldson thanked those who came out to the celebration of Dr. King’s life. He then asked Mr. Brooks several questions regarding the scholarship event he was hosting, to which Mr. Brooks responded. Dr. Donaldson also asked some of the other Council member’s questions clarifying events or on announcements they had made.

Mrs. Yamakaitis announced that the Linden Boys varsity basketball team beat the number one team, St. Patrick’s School, in the State of New Jersey, tonight.

Virginia Malik. 1633 Lenape Road. Ms. Malik asked questions regarding the salary ordinance. Mr. Roth responded to the questions, also explaining that the job descriptions, to go with the job titles, in the ordinance are on the Civil Service website. He also spoke about the City being unionized. He explained Civil Service, and the union’s role to her.

Ronald Martins, 321 Miner Terrace. Mr. Martins stated that he had some concerns regarding the train station. He explained his daily use of the train, and complained about the doubled parked, and idling cars when he returns, and the issues that it causes. Chief Parham responded, obtained further details from Mr. Martin, and promised to look into it. Mr. Sadowski noted a recent newspaper article on idling vehicles, and their effect on the environment. Mr. Martins then asked if the ramps and stairs, at the train station, are New Jersey Transit’s or the City’s responsibility. Mr. MacDonald responded that they are NJ Transit’s and the City has been trying to get them to address the repair issues. Mr. Martins related a story about a stolen bike and asked if it was possible to get bike racks, at the train station, so bikes could better be locked up. Mr. Medina noted the recent installation of cameras at the train station, in the hopes of identifying those doing these kind of criminal activities.

Mr. Sadowski moved to close the public portion of the meeting. The motion was seconded by Mrs. Ormon, and was unanimously ordered approved by a roll call vote.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mr. Brooks spoke about being good neighbors, and asked those living around Hattie Johnson Park to not walk their dogs in the park and not clean up after them. Our kids play there, and it should not be used as bathroom. He noted that if people are caught they will be prosecuted to the full extent of the law.

Mrs. Cosby-Hurling asked Mr. Roth and Mr. Antonelli to provide her with a copy of all lawsuits filed with the JIF against the City. She noted that a letter written is not a lawsuit. She explained the need for employees to voice their complaints, without fear of retribution, and noted that the computers for Mr. Brown and Mrs. Ormon cost more than the entire tip line for a year. It cost $1300.00 for a year of service.

Mrs. Ormon noted that what she received was not a computer, but a tablet, and her need for this equipment to better do her council job.

**ANNOUNCEMENTS**

Council President Pro Tempore Yamakaitis made the following announcements:

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

**\*Council Conference meeting:**

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

**\*Council Meeting: Tuesday, February 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